TITLE 99 - NONCODIFIED STATUTES

CHAPTER 1 - MISCELLANEOUS WATER PROJECTS

ARTICLE 1 - DEER CREEK PROJECT

99-1-101. Definitions.

(a) As used in this act [§§ 99-1-101 through 99-1-105]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Department" means the Wyoming department of economic planning and development;

(iii) "Project" means the Deer Creek dam, spillway, outlet works and appurtenances as described in Section 2 of this act [§ 99-1-102];

(iv) "Water development account" means the account created by W.S. 39-6-302(c) and 39-6-305(g). (Laws 1985, ch. 89, § 1.)

99-1-102. Project components.

(a) The Deer Creek Reservoir Project consists of the following components:

(i) The Deer Creek dam;

(ii) An emergency spillway;

(iii) Outlet works consisting of a principal spillway and operating spillways;

(iv) Dam access roads;

(v) Embankment instrumentation;

(vi) Remote sensing and control features;

(vii) Gaging stations;

(viii) Power supply facilities;

(ix) Utility and road relocations as necessary to construct and implement the project;

(x) A boat ramp, a parking area for the boat ramp area and an access road to the boat ramp;

(xi) Appurtenances necessary to make the project complete and function in the manner intended. (Laws 1985, ch. 89, § 2.)

99-1-103. Authorization.

(a) The commission may expend remaining funds appropriated for the Level III study for this project in Chapter 52, 1984 Wyoming Session Laws, Section 5(a)(iii) to perform the following:

(i) Prepare environmental impact statements or assessments, as required;

(ii) Perform final designs;

(iii) Prepare plans and specifications;

(iv) Obtain options, land exchange or purchase agreements for the necessary project lands and easements;

(v) Procure the 404 Permit from the United States Army Corps of Engineers, the 401 Permit from the Wyoming department of environmental quality, and the permit to construct from the Wyoming state engineer's office;

(vi) Perform other incidental work required to prepare the project for construction.

(b) The commission may negotiate project sponsorship and water sales contracts with communities which demonstrate a need for water and desire to participate in the project. These contracts shall be subject to the approval of the governor.

(c) The commission may either purchase necessary project lands and easements and construct and operate the project in a manner consistent with this act or develop a project agreement with a sponsor in a manner consistent with the terms and conditions outlined in the agreements established under subsection (b) of this section and Section 4 of this act [§ 99-1-104].

(d) Upon review by the select water committee and approval of the governor, the commission may use not to exceed one million four hundred thousand dollars ($1,400,000.00) of the project appropriation to pursue alternatives to the project which provide equivalent municipal water supply benefits, assist the Casper Alcova Irrigation District in the resolution of selenium issues, assist the federal contractors of North Platte storage in the resolution of safety of dam issues, and seek long term solutions to endangered species issues in the Platte River basin including the state's participation in the "Cooperative Agreement for the Platte River Research and Other Efforts Relating to Endangered Species Habitats Along the Central Platte River, Nebraska". (Laws 1985, ch. 89, §§ 3a, 3b, 3c; 1996, ch. 59, § 5, 1998, ch. 38, § 3.)

99-1-104. Project operation.

(a) The primary purpose of the project is to supply municipal water to those Wyoming communities in the North Platte River drainage below Alcova Reservoir that demonstrate a need for water and wish to participate in the project; however, the use of stored water is not limited to municipal use.

(b) After the initial filling of the reservoir, the project shall be operated in such a manner as to provide a minimum pool of twelve thousand four hundred (12,400) acre feet unless the storage is required to meet municipal water demands.

(c) After initial filling of the reservoir, the project shall be operated in such a manner as to ensure the following monthly minimum releases unless making these releases will affect the project's capability to meet municipal demands:

January	10cfs	July	15cfs
(Cubic feet per second)			
February	10cfs	August	15cfs
March	10cfs	September	15cfs
April	15cfs	October	10cfs
May	15cfs	November	10cfs

June 15cfs December 10cfs

(d) Nothing in this section shall interfere with the administration of Deer Creek pursuant to state law. (Laws 1985, ch. 89, §§ 4a, 4b, 4c, 4d.)

99-1-105. Project appropriation.

The total project budget is forty-five million dollars ($45,000,000.00). There is appropriated from that portion of the water development account funded from revenues pursuant to W.S. 39-6-305(g) to the commission five million two hundred fifty thousand dollars ($5,250,000.00) or as much thereof as is necessary to carry out the purposes of this act. Unexpended funds appropriated under this section shall revert to the account established in W.S. 99-99-1001(a)(vii) on July 1, 2010. (Laws 1985, ch. 89, § 5; 1996, ch. 59, § 5; 1999, ch. 16, § 2; 2010, ch. 68, § 2.)

ARTICLE 2 - SHERIDAN AREA WATER SUPPLY PROJECT

99-1-201. Definitions.

(a) As used in this act [§§ 99-1-201 through 99-1-206]:

(i) "Board" means the Sheridan area water joint powers board;

(ii) "Commission" means the Wyoming water development commission;

(iii) "Project" means the Sheridan area water supply project as described in Section 2 of this act [§§ 99-1-201 through 99-1-206];

(iv) "Water development account I" means the account created by W.S. 41-2-124(a)(i). (Laws 1989, ch. 131, § 1; 1990, ch. 77, § 1.)

99-1-202. Project Components.

(a) The Sheridan area water supply project consists of the following components:

(i) Enlargement or rehabilitation of Twin Lakes Reservoirs;

(ii) Transmission pipelines within Sheridan's existing comprehensive plan boundary necessary to serve rural areas south, east, and west of Sheridan, Wyoming;

(iii) Transmission pipeline from the vicinity of the community of Big Horn to Sheridan's existing comprehensive plan boundary;

(iv) Main pipelines necessary to serve the city of Sheridan, Big Goose/Soldier Creek water district, Big Horn water district, Little Goose water district, Woodland Hills improvement district and the Southeast water and sewer district; and

(v) Raw water transmission pipeline from the Big Goose intake facility to the existing water treatment plant;

(vi) Miscellaneous piping, booster stations, valves, water storage facilities and appurtenances necessary to make the project complete and function in the manner intended with the exception of proposed water treatment and water distribution facilities. (Laws 1989, ch. 131, § 2; 1990, ch. 77, § 1; 1993, ch. 89, § 5; 1994, ch. 28, § 15.)

99-1-203. Authorization.

(a) The commission shall contract with the board for the design, permit procurement, construction and operation of the project in a manner consistent with Sections 4 and 5 of this act [§§ 99-1-204 and 99-1-205] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in Section 3(a) [§ 99-1-203(a)] the board may design, procure permits, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract provided for in Sections 3(a) and 4 [§§ 99-1-203(a) and 99-1-204] of this act. (Laws 1989, ch. 131, §§ 3a, 3b; 1990, ch. 77, § 1; 1993, ch. 89, § 5.)

99-1-204. Project Financing.

(a) The state of Wyoming shall make one (1) or more loans to the board from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the

project for a total amount not to exceed nine million three hundred one thousand five hundred dollars ($9,301,500.00) or twenty-five percent (25%) of the actual development costs, whichever is less, each loan being for a term of fifteen (15) years at an annual interest rate of four percent (4%) provided:

(i) The board and each participating agency of the board offers security as deemed adequate and acceptable to the attorney general;

(ii) The commission establishes repayment schedules in accordance with the conditions prescribed in this act [§§ 99-1-201 through 99-1-206];

(iii) The board establishes a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Payment of interest and principal and accrual of interest on each loan shall be deferred until five (5) years after substantial completion of each phase of the project as determined by the commission. The total amount of the loan for each phase of the project shall be determined by the commission upon completion of that Phase. Each loan shall be amortized over the remaining ten (10) years of the term; and

(v) Principal and interest payments made in repayment of each loan shall be deposited in Wyoming water development account I.

(b) The state of Wyoming shall grant to the board from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed twenty-seven million nine hundred four thousand five hundred dollars ($27,904,500.00) or seventy-five percent (75%) of the actual development costs, whichever is less. If the commission determines that the board has without good cause, abandoned completion of the project, the board and each participating agency of the board shall be obligated to immediately repay the full amount of all grant funds actually expended under this subsection plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure.

(c) The board shall supervise design and construction of the project and submit all requests for payment to the commission for approval.

(d) The board shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans.

(e) The commission shall make payments directly to the board.

(f) The board is responsible for all project expenditures in excess of the total project budget of thirty-seven million two hundred six thousand dollars ($37,206,000.00). (Laws 1989, ch. 131, §§ 4a, 4b, 4c, 4d, 4e, 4f; 1990, ch. 77, § 1; 1993, ch. 89, § 5; 1996, ch. 59, § 6.)

99-1-205. Terms; management plan; restriction on sale of water and the project; loan acceleration.

(a) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the board's municipal or domestic use without written prior approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the loans described in Section 4(a) of this act [§ 99-1-204(a)]. After the loans are paid in full the board shall receive twenty-five percent (25%) of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project and the state of Wyoming shall receive seventy-five percent (75%) of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project.

(b) There shall be no lease, sale, assignment or transfer of ownership of the project until the loans described in Section 4(a) [§ 99-1-204(a)] are paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the board shall receive twenty-five percent (25%) and the state of Wyoming shall receive seventy-five percent (75%) of the revenues generated by the lease, sale, assignment or transfer of ownership of the project. Before the board may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the board's interest in the project

for an amount equal to the principal, interest, maintenance and replacement costs incurred by the board at the date the option is exercised.

(c) After the loans described in Section 4(a) of this act [§ 99-1-204(a)] are paid in full, the board may purchase the position of the state of Wyoming, as described in subsections (a) and (b) of this section, for the amount of the grant described in Section 4(b) of this act [§ 99-1-204(b)] plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor.

(d) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of project water or the project itself shall be deposited in Wyoming water development account I.

(e) The board shall be responsible for operation and maintenance of the project. (Laws 1989, ch. 131, §§ 5a, 5b, 5c, 5d, 5e; 1990, ch. 77, § 1.)

99-1-206. Project appropriation.

There is appropriated from water development account I to the commission thirty-seven million two hundred six thousand dollars ($37,206,000.00) or as much thereof as is necessary to carry out the purpose of this act [§§ 99-1-201 through 99-1-206]. Unexpended funds appropriated under this section shall revert to the water development account I on July 1, 1999. (Laws 1989, ch. 131, § 6; 1990, ch. 77, § 1; 1993, ch. 89, § 5; 1996, ch. 59, § 6.)

ARTICLE 3 - ROCK SPRINGS/GREEN RIVER AREA WATER SUPPLY PROJECT

99-1-301. Definitions.

(a) As used in this act [§§ 99-1-301 through 99-1-306]:

(i) "Board" means the City of Green River, Wyoming-City of Rock Springs, Wyoming-Sweetwater County, State of Wyoming joint powers water board;

(ii) "Commission" means the Wyoming water development commission;

(iii) "Project" means the Rock Springs/Green River area water supply project as described in Section 2 of this act [§ 99-1-302];

(iv) "Water development account I" means the account created by W.S. 41-2-124(a)(i). (Laws 1990, ch. 83, § 1.)

99-1-302. Project Components.

(a) The Rock Springs/Green River area water supply project consists of the following components:

(i) A diversion structure and intake facility;

(ii) A primary transmission pipeline from the existing water treatment plant in Green River, Wyoming to Rock Springs, Wyoming;

(iii) Secondary transmission pipelines to serve the Rock Springs and Green River areas;

(iv) Repealed by Laws 1994, ch. 28, § 11.

(v) Storage reservoirs; and

(vi) Miscellaneous piping, valves, pumping facilities and appurtenances necessary to make the project complete and function in the manner intended. (Laws 1990, ch. 83, § 2a; 1994, ch. 28, § 11.)

99-1-303. Authorization.

(a) The commission shall contract with the board for the design, permit procurement, construction and operation of the project in a manner consistent with Sections 4 and 5 of this act [§§ 99-1-304 and 99-1-305] and to administer the contract on behalf of the state of Wyoming. If the contract is not executed by July 1, 1991, the funds appropriated under this act shall revert to water development account I.

(b) Upon execution of the contract outlined in Section 3(a) [§ 99-1-303(a)], the board may design, procure permits, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract provided for in Sections 3(a) and 4 of this act [§§ 99-1-303(a) and 99-1-304].

(c) The contract specified in subsection 3(a) of this act [§ 99-1-303(a)] shall be revised. Prior to the completion of the revised contract, the commission and board shall complete an agreement outlining the disposition of any compensation which may be received by the board as part of any settlement or judgment granted to the board by court decree relating to the contamination at the existing water treatment plant site. Any compensation or reimbursement received by the commission shall be deposited into water development account I. (Laws 1990, ch. 83, §§ 3a, 3b; 1994, ch. 28, § 11.)

99-1-304. Project Financing.

(a) The state of Wyoming shall loan to the board from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eight million nine hundred ten thousand dollars ($8,910,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of forty (40) years from the date the commission determines benefits accrue to the board at an annual interest rate of four percent (4%) provided:

(i) The board and each participating agency of the board offers security as deemed adequate and acceptable to the attorney general;

(ii) The commission establishes a repayment schedule in accordance with the conditions prescribed in this act;

(iii) The board establishes a sinking fund for repair and maintenance of the project as deemed appropriate by the commission; and

(iv) Principal and interest payments made in repayment of the loan shall be deposited in water development account I.

(b) The state of Wyoming shall grant to the board from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eighteen million ninety thousand dollars ($18,090,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less. If the commission

determines that the board has, without good cause, abandoned completion of the project, the board and each participating agency of the board shall be obligated to immediately repay the full amount of all grant funds actually expended under this subsection plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure.

(c) The board shall supervise design and construction of the project and submit all requests for payment to the commission for approval.

(d) The board shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans.

(e) The commission shall make payments directly to the board.

(f) The board is responsible for all project expenditures in excess of the total project budget of twenty-seven million dollars ($27,000,000.00).

(g) The board shall be responsible for operation and maintenance of the project. (Laws 1990, ch. 83, §§ 4(a)(intro), (i), (ii), (iii), (iv), 4b, 4c, 4d, 4e, 4f, 4g; 1994, Ch. 28, § 11.)

99-1-305. Terms; management plan; restriction on sale of water and the project; loan acceleration.

(a) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the board's municipal or domestic use without written prior approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the loan described in section 4(a) of this act [§ 99-1-304(a)] consistent with the provisions of W.S. 16-1-107(a)(iii). After that loan is paid in full the board shall receive thirty-three percent (33%) of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project and the state of Wyoming shall receive sixty-seven percent (67%) of the revenues generated by the lease, sale, assignment or transfer of

ownership of water from the project consistent with the provisions of W.S. 16-1-107(a)(iii).

(b) There shall be no lease, sale, assignment or transfer of ownership of the project until the loan described in Section 4(a) is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the board shall receive thirty-three percent (33%) and the state of Wyoming shall receive sixty-seven percent (67%) of the revenues generated by the lease, sale, assignment or transfer of ownership of the project. Before the board may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the board's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the board at the date the option is exercised.

(c) After the loan described in Section 4(a) of this act is paid in full, the board may purchase the position of the state of Wyoming, as described in subsections (a) and (b) of this section, for the amount of the grant described in Section 4(b) of this act plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor.

(d) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of project water or the project itself shall be deposited in water development account I. (Laws 1990, ch. 83, §§ 5a, 5b, 5c, 5d; 1991, ch. 231, § 6.)

99-1-306. Project appropriation.

There is appropriated from water development account I to the commission twenty-seven million dollars ($27,000,000.00) or as much thereof as is necessary to carry out the purpose of this act [§§ 99-1-301 through 99-1-306]. Unexpended funds appropriated under this section shall revert to water development account I on July 1, 1998. (Laws 1990, ch. 83, § 6; 1994, ch. 28, § 11; 1997, ch. 45, § 5.)

ARTICLE 4 - NATRONA COUNTY REGIONAL WATER TREATMENT PROJECT

99-1-401. Definitions.

(a) As used in this act [§§ 99-1-401 through 99-1-406]:

(i) "Board" means the Natrona county regional water system joint powers board;

(ii) "Commission" means the Wyoming water development commission;

(iii) "Project" means the Natrona County Regional Water Treatment Project as described in section 2 of this act [§ 99-1-402]. (Laws 1995, ch. 194, § 1.)

99-1-402. Project Components.

The project consists of increasing the capacity of an existing water treatment plant by nine million (9,000,000) gallons per day, improving a second water treatment plant, implementing a well head protection program and providing the appurtenances necessary to make the project complete and function in the manner intended. In addition, not to exceed three million dollars ($3,000,000.00) of the loan authorized by this act [§§ 99-1-401 through 99-1-406] shall be used for the procurement of water supply facilities necessary for the Natrona County Regional Water Supply Project. (Laws 1995, ch. 194, § 2.)

99-1-403. Authorization.

(a) The commission shall contract with the board for the design, construction and operation of the project in a manner consistent with sections 4 and 5 of this act [§§ 99-1-404 through 99-1-405] and to administer the contract on behalf of the state of Wyoming. If the contract is not completed by July 1, 1996, the funds authorized for loan by this act [§§ 99-1-401 through 99-1-406] shall revert back to the permanent Wyoming mineral trust fund.

(b) Upon execution of the contract outlined in section 3(a) of this act [§ 99-1-403(a)], the board may design and construct the project in a manner consistent with the terms and conditions outlined in the contract provided for in sections 3(a) and 4 of this act [§§ 99-1-403(a) and 99-1-404]. (Laws 1995, ch. 194, §§ 3a, 3b.)

99-1-404. Project Financing.

(a) Unless the board elects to finance the project in accordance with subsection (d) of this section before entering into an agreement under this subsection, the state of Wyoming shall loan to the board from the permanent Wyoming mineral trust fund through the commission, for the design and construction of the project, an amount not to exceed twenty-three million dollars ($23,000,000.00) or the total actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the board, at an annual interest rate of eight percent (8%) provided:

(i) The board offers security as deemed adequate and acceptable to the attorney general;

(ii) The commission establishes a repayment schedule in accordance with the conditions prescribed in this act [§§ 99-1-401 through 99-1-406];

(iii) The board establishes a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Repayments of principal shall be deposited into the permanent mineral trust fund and payments of interest shall be deposited into the general fund.

(b) The board shall supervise construction of the project and submit all requests for payment to the commission for approval.

(c) The commission shall, upon review and approval of the board's request, make payments directly to the board.

(d) If the board elects to finance the project under this subsection, the state of Wyoming shall loan to the board from the permanent Wyoming mineral trust fund through the commission, for the design and construction of the project an amount not to exceed fourteen million dollars ($14,000,000.00) for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the board at an annual rate of four percent (4%). The balance of subsection (a) applies to this subsection. The loan under this subsection shall be made only if Natrona county imposes a one percent (1%) sales and use excise tax within the county as authorized under W.S. 39-6-412(k) to fund the balance of the project. Revenues from this tax shall be dedicated for the project authorized under this act [§§ 99-1-401 through 99-1-406] so that the balance of the amount

necessary to fund the project is available to the project within two (2) years of the imposition of the tax or as soon thereafter as is practicable. Notwithstanding W.S. 39-6-412(k)(iii), the proposition to impose an excise tax solely to comply with this subsection and solely to fund the project authorized under this act [§§ 99-1-401 through 99-1-406] may be submitted to the electors of Natrona county if the county commissioners adopt a resolution for that purpose. (Laws 1995, ch. 194, §§ 4a, 4b, 4c, 4d.)

99-1-405. Terms; management plan; restriction on sale of water and the project.

(a) There shall be no lease, sale, assignment or transfer of ownership of water treated through the project for purposes other than the board's municipal or domestic use without prior written approval from the commission. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on any investment of state funds to construct the proposed Natrona County Regional Water Treatment Project.

(b) There shall be no lease, sale, assignment or transfer of ownership of the project until the investment described in section 4(a) of this act [§ 99-1-404(a)] is paid in full, and until prior written approval is obtained from the commission. Before the board may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the board's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the board at the date the option is exercised.

(c) The board shall be responsible for operation and maintenance of the project. (Laws 1995, ch. 194, §§ 5a, 5b, 5c.)

99-1-406. Project appropriation.

The state treasurer shall make available to the commission, an amount not to exceed twenty-three million dollars ($23,000,000.00) from the permanent Wyoming mineral trust fund for the loan authorized by this act [§§ 99-1-401 through 99-1-406]. (Laws 1995, ch. 194, § 6.)

ARTICLE 5 - GREEN RIVER/ROCK SPRINGS WATER TREATMENT PLANT

99-1-501. Definitions.

(a) As used in this act [§§ 99-1-501 through 99-1-506]:

(i) "Board" means the city of Green River, Wyoming-City of Rock Springs, Wyoming-Sweetwater County, state of Wyoming joint powers water board;

(ii) "Commission" means the Wyoming water development commission;

(iii) "Project" means the Green River/Rock Springs water treatment plant as described in section 2 of this act [§ 99-1-502]. (Laws 1995, ch. 201, § 1.)

99-1-502. Project Components.

The project consists of a water treatment plant with a maximum capacity of thirty-two million (32,000,000) gallons per day to provide treated water for municipal and domestic purposes to the Green River/Rock Springs area. The project shall include appurtenances necessary to make the project complete and function in the manner intended. (Laws 1995, ch. 201, § 2.)

99-1-503. Authorization.

(a) The commission shall contract with the board for the design, construction and operation of the project in a manner consistent with sections 4 and 5 of this act [§§ 99-1-504 and 99-1-505] and to administer the contract on behalf of the state of Wyoming. If the contract is not completed by July 1, 1996, the funds authorized for loan by this act [§§ 99-1-501 through 99-1-506] shall revert back to the permanent Wyoming mineral trust fund. This contract shall be subject to review by the select water committee.

(b) Upon execution of the contract outlined in section 3(a) of this act [§ 99-1-503(a)], the board may design and construct the project in a manner consistent with the terms and conditions outlined in the contract provided for in sections 3(a) and 4 of this act [§§ 99-1-503(a) and 99-1-504]. (Laws 1995, ch. 201, §§ 3a, 3b.)

99-1-504. Project Financing.

(a) Unless the board elects to finance the project in accordance with subsection (d) of this section before entering

into an agreement under this subsection, the state of Wyoming shall loan to the board from the permanent Wyoming mineral trust fund through the commission, for the design and construction of the project, an amount not to exceed twenty-four million dollars ($24,000,000.00) or the total actual development costs, whichever is less, for a term of forty-five (45) years from the date the commission determines project benefits accrue to the board, at an annual interest rate of eight percent (8%), provided:

(i) The board offers security as deemed adequate and acceptable to the attorney general;

(ii) The commission establishes a repayment schedule in accordance with the conditions prescribed in this act [§§ 99-1-501 through 99-1-506];

(iii) The board establishes a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Repayments of principal shall be deposited into the permanent mineral trust fund and payments of interest shall be deposited into the general fund.

(b) The board shall supervise construction of the project and submit all requests for payment to the commission for approval.

(c) The commission shall, upon review and approval of the board's request, make payments directly to the board.

(d) If the board elects to finance the project under this subsection, the state of Wyoming shall loan to the board from the permanent Wyoming mineral trust fund through the commission, for the design and construction of the project an amount not to exceed seventeen million four hundred thousand dollars ($17,400,000.00) for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the board at an annual rate of four percent (4%). The balance of subsection (a) applies to this subsection. The loan under this subsection shall be made only if Sweetwater county imposes a one percent (1%) sales and use excise tax within the county as authorized under W.S. 39-6-412(k) to fund the balance of the project. Revenues from this tax shall be dedicated for the project authorized under this act [§§ 99-1-501 through 99-1-506] so that the balance of the amount necessary to fund the project

is available to the project within two (2) years of the imposition of the tax or as soon thereafter as is practicable. Notwithstanding W.S. 39-6-412(k)(iii), the proposition to impose an excise tax solely to comply with this subsection and solely to fund the project authorized under this act [§§ 99-1-501 through 99-1-506] may be submitted to the electors of Sweetwater county if the county commissioners adopt a resolution for that purpose. (Laws 1995, ch. 201, §§ 4a, 4b, 4c, 4d.)

99-1-505. Terms; management plan; restriction on sale of water and the project.

(a) There shall be no lease, sale, assignment or transfer of ownership of water treated through the project for purposes other than the board's municipal or domestic use without prior written approval from the commission. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on any investment of state funds to construct the proposed Green River/Rock Springs water treatment plant.

(b) There shall be no lease, sale, assignment or transfer of ownership of the project until the investment described in section 4(a) of this act [§ 99-1-504(a)] is paid in full, and until prior written approval is obtained from the commission. Before the board may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the board's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the board at the date the option is exercised.

(c) The board shall be responsible for operation and maintenance of the project. (Laws 1995, ch. 201, §§ 5a, 5b, 5c.)

99-1-506. Project appropriation.

The state treasurer shall make available to the commission, an amount not to exceed twenty-four million dollars ($24,000,000.00) from the permanent Wyoming mineral trust fund for the loan authorized by this act [§§ 99-1-501 through 99-1-506]. (Laws 1995, ch. 201, § 6.)

ARTICLE 6 - LAKE DESMET RESERVOIR

99-1-601. Definitions.

(a) As used in this article:

(i) "Commission" means the Wyoming water development commission;

(ii) "Select water committee" means the select water committee created by W.S. 28-11-101;

(iii) "Office" means the Wyoming water development office created by W.S 9-2-2014;

(iv) "Water development account I" means the account created by W.S. 41-2-124(a)(i).

Source Notes for subsection (a): (Laws 2018, Ch. 115, § 1.)

99-1-602. Lake DeSmet Reservoir project.

(a) Authorization is granted for the Lake DeSmet Reservoir project as provided in this section.

Source Notes for subsection (a): (Laws 2018, Ch. 115, § 1.)

(b) Project – Lake DeSmet Reservoir:

(i) Project sponsor: State of Wyoming;

(ii) Project purpose: Agriculture, municipal, rural domestic and industrial water supply;

(iii) Project description: The purchase of:

(A) Water storage capacity in Lake DeSmet;

(B) Approximately four hundred forty-five (445) acres of land containing Healy Reservoir, the Clear Creek diversion structure and pumping facilities;

(C) Transmission pipeline related to the project;

(D) Funding for the Lake DeSmet Reservoir account as provided in subparagraph (vi)(D) of this subsection; and

(E) Associated water rights, easements and appurtenances necessary to make the project function in the manner intended. The project may also include closing costs as provided in subparagraph (vi)(C) of this subsection.

(iv) Total project budget: Four million five hundred thousand dollars ($4,500,000.00);

(v) Appropriation: There is appropriated from water development account I to the commission four million five hundred thousand dollars ($4,500,000.00) 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 I on July 1, 2021;

(vi) Special conditions:

(A) The office is hereby authorized to negotiate a purchase agreement with the owner of the project. The purchase agreement shall be submitted to the commission and governor for approval;

(B) Upon approval of a purchase agreement by the commission and governor, the commission is authorized to expend up to two million five hundred thousand dollars ($2,500,000.00) to purchase project components described in the approved purchase agreement;

(C) In addition to the authorized purchase price in the approved agreement, the office may use appropriated funds to pay fifty percent (50%) of the closing costs;

(D) Upon approval by the commission, any remaining funds from the appropriation under this section up to two million dollars ($2,000,000.00) shall be deposited in the Lake DeSmet Reservoir account created by W.S. 99-99-1001(a)(ix);

(E) Upon completion of the purchase of the project the office, with oversight from the commission, shall manage the project for the benefit of water users in this state.

Source Notes for subsection (b): (Laws 2018, Ch. 115, § 1.)

CHAPTER 2 - WATER DEVELOPMENT PROJECTS 1991 THROUGH 1997

ARTICLE 1 - 1991 CONSTRUCTION PROJECTS

99-2-101. Definitions.

(a) As used in this act [§ 99-2-101 through 99-2-104]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, irrigation district, water district, improvement and service district, water and sewer district or joint powers board that will receive funding for one of the projects identified in section 3 or 4 of this act [§ 99-2-103 or 99-2-104];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1991, ch. 231, § 1.)

99-2-102. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§ 99-2-101 through 99-2-104] for the design, construction and operation of the project in a manner consistent with this act [§ 99-2-101 through 99-2-104] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1991, ch. 231, § 2.)

99-2-103. Level III construction projects new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project budget;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease,

sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 1991, ch. 231, § 3a.)

(b) Project - Airport Bench Water Supply:

(i) Project sponsor: Airport Bench Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Transmission pipeline, storage facility, booster station, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Four hundred fifty thousand dollars ($450,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eighteen thousand dollars ($18,000.00) or four percent (4%) of the actual development costs, whichever is less, for a term of thirty-five (35) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two hundred seven thousand dollars ($207,000.00) or forty-six percent (46%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred twenty-five thousand dollars ($225,000.00) 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, 1995;

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

Source notes for subsection (b): (Laws 1991, ch. 231, § 3b.)

(c) Project-Big Horn Rural Water Supply:

(i) Project sponsor: Northwest Rural Water District:

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Transmission pipelines, connections to the Shoshone municipal pipeline, pump stations, storage facilities, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Eleven million four hundred ten thousand dollars ($11,410,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three million seven hundred sixty-five thousand three hundred dollars ($3,765,300.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of forty (40) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed seven million six hundred forty-four thousand seven hundred dollars ($7,644,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission eleven million four hundred ten thousand dollars ($11,410,000.00) 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, 1999.

Source notes for subsection (c): (Laws 1991, ch. 231, § 3c; 1995, ch. 206, § 6; 1996, ch. 59, § 7; 1997, ch. 45, § 6.)

(d) Project - Bridger Valley Pipeline:

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

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

(iii) Project description: Transmission pipeline, intake structure, outlet structure, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Six hundred twenty-five thousand dollars ($625,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 six thousand two hundred fifty dollars ($206,250.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed four hundred eighteen thousand seven hundred fifty dollars ($418,750.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred twenty-five thousand dollars ($625,000.00) 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, 1994.

Source notes for subsection (d): (Laws 1991, ch. 231, § 3d.)

(e) [Project - Glendo Water Supply]

Source notes for subsection (e): (Laws 1991, ch. 231, § 3e; Repealed by Laws 1992, ch. 28, § 7b.)

(f) Project - Hulett Water Supply:

(i) Project sponsor: Town of Hulett;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Pump station, transmission pipeline, connection to the existing system, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Two hundred fifty thousand dollars ($250,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eighty-two thousand five hundred dollars ($82,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one hundred sixty-seven thousand five hundred dollars ($167,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred fifty thousand dollars ($250,000.00) 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, 1995;

(viii) Special conditions:

(A) An amount not to exceed fifty thousand dollars ($50,000.00) or thirty-three percent (33%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less, shall be added to the loan amount provided in paragraph (v) of this subsection;

(B) Payment of interest and principal and accrual of interest on the loan shall be deferred until one (1) year after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining nineteen (19) years of the term.

Source notes for subsection (f): (Laws 1991, ch. 231, § 3f.)

(g) Project - Pinedale Water Supply:

(i) Project sponsor: Town of Pinedale;

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

(iii) Project description: A transmission pipeline, connections to the existing system, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Three hundred twenty thousand dollars ($320,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred five thousand six hundred dollars ($105,600.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two hundred fourteen thousand four hundred dollars ($214,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred twenty thousand dollars ($320,000.00) 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, 1994.

Source notes for subsection (g): (Laws 1991, ch. 231, § 3g.)

(h) Project-Upton Water Supply:

(i) Project sponsor: Town of Upton;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Improvements to the sponsor's water supply system as approved by the commission;

(iv) Total project budget: Three hundred sixty-five thousand dollars ($365,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred twenty thousand four hundred fifty dollars ($120,450.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two hundred forty-four thousand five hundred fifty dollars ($244,550.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred sixty-five thousand dollars ($365,000.00) 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, 1996.

(viii) Repealed by 1992 Wyoming Session Laws, Chapter 28, Section 5.

Source notes for subsection (h): (Laws 1991, ch. 231, § 3h; 1992, ch. 28, § 5; 1994, ch. 28, § 12.)

99-2-104. Level III construction projects-rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project budget;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 1991, ch. 231, § 4a.)

(b) Project - Afton Water Supply:

(i) Project sponsor: Town of Afton;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Spring renovation, transmission pipeline replacement, storage tank, pump station,

pipeline connection to the existing system, a groundwater well, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Two million six hundred thousand dollars ($2,600,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred thousand dollars ($1,300,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 three hundred thousand dollars ($1,300,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two million six hundred thousand dollars ($2,600,000.00) 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, 1995;

(viii) Special conditions: If the town installs a hydroelectric generation facility into the project, the profits derived from the power generation, after debt service and operation, maintenance and replacement costs, shall be utilized to reduce the principal of the loan provided in paragraph (v) of this subsection. After the principal on the loan has been retired, the profits from the power generation shall belong to the town.

Source notes for subsection (b): (Laws 1991, ch. 231, § 4b.)

(c) Project - Chamberlain Reservoir:

(i) Project sponsor: LaPrele Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Improvements to the existing embankment, outlet works, principal, north, and emergency spillways, and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One hundred fifty thousand dollars ($150,000.00);

(v) Project loan: The state of Wyoming shall loan 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 seventy-five thousand dollars ($75,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 seventy-five thousand dollars ($75,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred fifty thousand dollars ($150,000.00) 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, 1994;

(viii) Special conditions: Upon completion of the project contract the commission shall reamortize the balance of the principal, as of January 1, 1991, of the existing loan provided in the 1984 Wyoming Session Laws, Chapter 25, Section 1(b) on the basis of an interest rate of four percent (4%) and twenty-four (24) annual payments.

Source notes for subsection (c): (Laws 1991, ch. 231, § 4c.)

(d) Project - Cheyenne North Crow Reservoir:

(i) Project sponsor: City of Cheyenne;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Improvements to the existing North Crow dam, spillway and outlet works and to the existing diversion dam and outlet works and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Three million five hundred thousand dollars ($3,500,000.00);

(v) Project loan: The state of Wyoming shall loan 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 seven hundred fifty thousand dollars ($1,750,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 seven hundred fifty thousand dollars ($1,750,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three million five hundred thousand dollars ($3,500,000.00) 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, 1995.

Source notes for subsection (d): (Laws 1991, ch. 231, § 4d.)

(e) Project-Douglas Water Supply:

(i) Project sponsor: City of Douglas;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Improvements to the existing intake structure on the North Platte River and to existing facilities at the Little Box Elder Springs and appurtenances necessary to make the project complete and function in the manner intended;

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

(v) Project loan: The state of Wyoming shall loan 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 the actual development costs, whichever is less, for a term of forty (40) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred thousand dollars ($400,000.00) 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, 1994;

(viii) Repealed by Laws 1992, ch. 28, § 6.

Source notes for subsection (e): (Laws 1991, ch. 231, § 4e; 1992, ch. 28, § 6.)

(f) Project - Etna Diversion Dam:

(i) Project sponsor: Etna Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Replacement of the existing diversion dam and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Two hundred thousand dollars ($200,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred thousand dollars ($100,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 hundred thousand dollars ($100,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) 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, 1995.

Source notes for subsection (f): (Laws 1991, ch. 231, § 4f.)

(g) Project - Shoshoni Water Supply:

(i) Project sponsor: Town of Shoshoni;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Improvements to the existing well field, storage tank, transmission and water supply pipeline; installation of a telemetry system; and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Seven hundred forty thousand dollars ($740,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred seventy thousand dollars ($370,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines benefits accrue to the district, at an annual interest rate of four percent (4%);

(vi) 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 three hundred seventy thousand dollars ($370,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission seven hundred forty thousand dollars ($740,000.00) 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, 1994.

Source notes for subsection (g): (Laws 1991, ch. 231, § 4g.)

(h) Project - Smiths Fork Water Supply:

(i) Project sponsor: Smiths Fork Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Improvements to an existing diversion dam, headgate, and siphon; installation of measuring devises; and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Three hundred forty thousand dollars ($340,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred seventy thousand dollars ($170,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty-five (35) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 hundred seventy thousand dollars ($170,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred forty thousand dollars ($340,000.00) 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, 1995.

Source notes for subsection (h): (Laws 1991, ch. 231, § 4h.)

(j) Project - Upper Hanover Water Supply:

(i) Project sponsor: Hanover Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Improvements to existing wasteways, flumes, siphons, underpasses, check structures, canals, pipelines and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million two hundred thousand dollars ($1,200,000.00);

(v) Project loan: The state of Wyoming shall loan 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 six hundred thousand dollars ($600,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty-five (35) years

from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 six hundred thousand dollars ($600,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million two hundred thousand dollars ($1,200,000.00) 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, 1996;

(viii) Special conditions: The sponsor shall develop a written agreement with the Bluff, Upper Bluff and Highland Hanover irrigation districts identifying the project responsibilities of the parties.

Source notes for subsection (j): (Laws 1991, ch. 231, § 4j.)

ARTICLE 2 - 1992 CONSTRUCTION PROJECTS

99-2-201. Definitions.

(a) As used in this act [§§ 99-2-201 through 99-2-204]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one of the projects identified in section 3 or 4 of this act [§ 99-2-203 or 99-2-204];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1992, ch. 28, § 1.)

99-2-202. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§§ 99-2-201 through 99-2-204] for the design, construction and operation of the project in a manner consistent with this act [§§ 99-2-201 through 99-2-204] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1992, ch. 28, § 2.)

99-2-203. Level III construction projects new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project budget;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as

described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 1992, ch. 28, § 3a.)

(b) Project-Buffalo Municipal Reservoir:

(i) Project sponsor: City of Buffalo;

(ii) Project purpose: Municipal and domestic water supply, recreation, hydropower production;

(iii) Project description: Dam on Clear Creek and the appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Thirteen million six hundred thousand dollars ($13,600,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four million four hundred eighty-eight thousand dollars ($4,488,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of fifty (50) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed nine million one hundred twelve thousand dollars ($9,112,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission thirteen million six hundred thousand dollars ($13,600,000.00) 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, 1999;

(viii) Special conditions:

(A) Payment of interest and principal and accrual of interest on the loan shall be deferred until five (5) years after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining forty-five (45) years of the term;

(B) The project is expressly contingent on funding and construction of the Buffalo Hydropower Project described in subsection (c) of this section.

Source notes for subsection (b): (Laws 1992, ch. 28, § 3b; 1996, ch. 59, § 8; 1997, ch. 45, § 7.)

(c) Project-Buffalo Hydropower Project:

(i) Project sponsor: City of Buffalo;

(ii) Project purpose: Hydropower generation;

(iii) Project description: Hydropower generation facilities and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million seventy-five thousand dollars ($1,075,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 seventy-five thousand dollars ($1,075,000.00) or one hundred percent (100%) of the actual development costs, whichever is less, for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor from the project and the Buffalo Municipal Reservoir, at an annual interest rate of four percent (4%);

(vi) Appropriation: There is appropriated from water development account I to the commission one million seventy-five thousand dollars ($1,075,000.00) 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, 1999;

(vii) Special conditions:

(A) Payment of the principal on the loan shall be deferred until five (5) years after the term of the loan commences as determined by the commission. The total principal on the loan will be due at the end of the deferral period;

(B) Revenues from the power generation shall accrue to the sponsor and shall be used in the following priority: 1) payment of the operation, maintenance and replacement costs on the hydropower facilities, 2) repayment of the loan provided in paragraph (v) of this subsection, 3) repayment of the loan provided in paragraph (v) of subsection (b) of this section. After both loans have been retired, the revenues from the power generation may be used at the discretion of the sponsor;

(C) The project is expressly contingent on funding and construction of the Buffalo Municipal Reservoir Project described in subsection (b) of this section.

Source notes for subsection (c): (Laws 1992, ch. 28, § 3c; 1996, ch. 59, § 9.)

(d) Project-Douglas Area Water Supply Project:

(i) Project sponsor: City of Douglas;

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

(iii) Project description: Pump station, transmission pipelines, valves, storage reservoir, booster pump stations and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million seven hundred thousand dollars ($1,700,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred sixty-one thousand dollars ($561,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of forty (40) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one million one hundred thirty-nine thousand dollars ($1,139,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million seven hundred thousand dollars ($1,700,000.00) 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, 1996;

(viii) Special conditions:

(A) Fifty-two thousand forty dollars ($52,040.00), which is thirty-three percent (33%) of the construction costs of the groundwater well completed during the Level II study, shall be added to the loan amount provided in paragraph (v) of this subsection;

(B) Prior to the completion of the contract outlined in Section 2(a) of this act, the sponsor shall complete a water supply agreement with the Ridgewater Improvement and Service District. The water supply agreement will be subject to the approval of the commission;

(C) Project conditions for the Douglas Water Supply Project authorized by 1991 Wyoming Session Laws, Chapter 231, Section 4(e) shall be modified as follows:

(I) The project loan term shall be increased to forty (40) years; and

(II) Section 4(e)(viii) relating to extension of the loan term shall be repealed.

Source notes for subsection (d): (Laws 1992, ch. 28, § 3d; 1994, ch. 28, § 13.)

(e) Project - Dubois Water Supply Project:

(i) Project sponsor: Town of Dubois;

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

(iii) Project description: Pump station and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One hundred thirty-four thousand three hundred dollars ($134,300.00);

(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 construction of the project an amount not to exceed ninety thousand dollars ($90,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ninety thousand dollars ($90,000.00) 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, 1995;

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

Source notes for subsection (e): (Laws 1992, ch. 28, § 3e.)

(f) Project - Evansville Water Supply Project:

(i) Project sponsor: Town of Evansville;

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

(iii) Project description: Storage reservoir and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Seven hundred fifty thousand dollars ($750,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 thirty-two thousand five hundred dollars ($232,500.00) or thirty-one percent (31%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed five hundred seventeen thousand five hundred dollars ($517,500.00) or sixty-nine percent (69%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred fifty thousand dollars ($750,000.00) 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, 1995; (Laws 1992, ch. 28, § 3f; 1998, ch. 38, § 4.)

(viii) Repealed By Laws 1998, ch. 38, § 4.

Source notes for subsection (f): (Laws 1992, ch. 28, § 3f; 1998, ch. 38, § 4.)

(g) Project - Fairview Water Supply Project:

(i) Project sponsor: Fairview Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Renovation of existing springs, transmission pipelines, storage reservoir, pump station for an existing well, booster stations and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Seven hundred forty-nine thousand two hundred fifty dollars ($749,250.00);

(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 construction of the project an amount not to exceed five hundred two thousand dollars ($502,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred two thousand dollars ($502,000.00) 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, 1996;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price of thirty-one thousand dollars ($31,000.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on actual well construction cost for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreements must be completed prior to commencement of the project.

Source notes for subsection (g): (Laws 1992, ch. 28, § 3g.)

(h) Project - Fremont Lake Reservoir Project:

(i) Project sponsor: Highland Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Reconstruction and relocation of an existing dam, replacement of the headgate to the Highland ditch, and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Four hundred twenty thousand dollars ($420,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 ten thousand dollars ($210,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two hundred ten thousand dollars ($210,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I 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 I on July 1, 1995;

(viii) Special conditions:

(A) Prior project authorization under Chapter 120 of the 1986 Session Laws of Wyoming shall be repealed;

(B) Thirty-seven thousand eight hundred thirty-four dollars ($37,834.00), which represents the project expenditures to date, shall be added to the loan amount provided in paragraph (v) of this subsection;

(C) Subject to commission approval, the sponsor may sell a portion of the water from the project or a portion of the project itself to the town of Pinedale. The sale may be accomplished through lump sum payments or through the town assuming a portion of the loan described in paragraph (v) of this subsection, or both. If the sale is accomplished through lump sum payments, the sponsor must use the payments to reduce the principal on the loan described in paragraph (v) of this subsection. Any other sales by the sponsor will be subject to the conditions described in paragraphs (xi) through (xiii) of subsection 3(a) of this act. Further, if the town of Pinedale purchases a portion of the water from the project or a portion of the project itself, any subsequent sales for purposes other than its own municipal and domestic use shall be subject to the conditions described in paragraphs (xi) through (xiii) of subsection 3(a) of this act [§ 99-2-203(a)].

Source notes for subsection (h): (Laws 1992, ch. 28, § 3h.)

(j) Project - Grover Water Supply Project:

(i) Project sponsor: Grover Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Replacement of an existing well, transmission pipelines, storage reservoir and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Seven hundred thirty-five thousand eight hundred twenty dollars ($735,820.00);

(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 construction of the project an amount not to exceed four hundred ninety-three thousand dollars ($493,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred ninety-three thousand dollars ($493,000.00) 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, 1996;

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

Source notes for subsection (j): (Laws 1992, ch. 28, § 3j.)

(k) Project - Indian Springs Water Supply Project:

(i) Project sponsor: Indian Springs Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Transmission pipeline and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One hundred fifty thousand dollars ($150,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed forty-nine thousand five hundred dollars ($49,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one hundred thousand five hundred dollars ($100,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred fifty thousand dollars ($150,000.00) 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, 1995;

(viii) Special conditions: Prior to the completion of the contract described in Section 2(a) of this act, the sponsor shall complete a water supply agreement with the city of Casper. The water supply agreement will be subject to the approval of the commission.

Source notes for subsection (k): (Laws 1992, ch. 28, § 3k.)

(m) Project - Riverside Water Supply Project:

(i) Project sponsor: Sierra Madre Joint Powers Board;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Well construction, pump stations, transmission pipelines, storage facility and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million two hundred twenty-five thousand dollars ($1,225,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred four thousand two hundred fifty dollars ($404,250.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed eight hundred twenty thousand seven hundred fifty dollars ($820,750.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million two

hundred twenty-five thousand dollars ($1,225,000.00) 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, 1996;

(viii) Special conditions:

(A) Payment of interest and principal and accrual of interest on the loan shall be deferred until five (5) years after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining twenty-five (25) years of the term. During the deferment period, water sales revenues in excess of operation, maintenance and replacement expenses will be placed in an escrow account in the name of both the sponsor and the commission. At the end of the deferment period, the escrow account will be used to make payments on the loan provided in paragraph (v) of this subsection;

(B) An amount not to exceed fifty thousand dollars ($50,000.00) or thirty-three percent (33%) of the actual construction costs of the groundwater wells completed during the Level II study and to be incorporated into the water supply system, whichever is less, shall be added to the loan amount provided in paragraph (v) of this subsection;

(C) The sponsor and each participating agency of the joint powers board shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(D) If the commission determines that the sponsor has, without good cause, abandoned completion of the project, the sponsor and each participating agency in the joint powers board, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure.

Source notes for subsection (m): (Laws 1992, ch. 28, § 3m.)

(n) [Project - Sandy Lake Water Supply Project]

Source notes for subsection (n): (Laws 1992, ch. 28, § 3n; Repealed by Laws 1993, ch. 89, § 9.)

(o) Project - Smoot Water Supply Project:

(i) Project sponsor: Greater Smoot Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Spring renovation, transmission pipelines, storage reservoir, pump station for an existing well and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million six hundred forty-one thousand eight hundred dollars ($1,641,800.00);

(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 construction of the project an amount not to exceed one million one hundred thousand dollars ($1,100,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million one hundred thousand dollars ($1,100,000.00) 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, 1996;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price of twenty thousand dollars ($20,000.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on actual construction costs for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreements must be completed prior to commencement of the project.

Source notes for subsection (o): (Laws 1992, ch. 28, § 3o.)

(p) Project - Southwest Casper Water Supply Project:

(i) Project sponsor: City of Casper;

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

(iii) Project description: Transmission pipeline, storage facility, booster station modifications and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million dollars ($1,000,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred thirty thousand dollars ($330,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed six hundred seventy thousand dollars ($670,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million dollars ($1,000,000.00) 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 I on July 1, 1996;

(viii) Special conditions:

(A) Prior to the completion of the contract described in section 2(a) of this act, the sponsor shall

complete a water supply agreement with the Indian Springs Improvement and Service District. The water supply agreement will be subject to the approval of the commission;

(B) The size of the storage reservoir is based on the storage reservoir being used to supply water to other regional water users. Therefore, subject to commission approval, the sponsor may sell water from the project to other domestic water users. Any sales other than for domestic purposes will be subject to the conditions described in paragraphs (xi) through (xiii) of subsection 3(a) of this act [§ 99-2-203(a)].

Source notes for subsection (p): (Laws 1992, ch. 28, § 3p; 1995, ch. 206, § 7.)

(q) Project - Teton Village Water Supply Project:

(i) Project sponsor: Teton Village Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Wells, pump stations, transmission pipelines and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Seven hundred thousand dollars ($700,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 thirty-one thousand dollars ($231,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed four hundred sixty-nine thousand

dollars ($469,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred thousand dollars ($700,000.00) 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, 1995.

Source notes for subsection (q): (Laws 1992, ch. 28, § 3q.)

99-2-204. Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project budget;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 1992, ch. 28, § 4a.)

(b) [Project - Bench Canal Rehabilitation Project]

Source notes for subsection (b): (Laws 1992, ch. 28, § 4b; Repealed by Laws 1994, ch. 28, § 16.)

(c) Project - Edgerton-Midwest Water Supply Project:

(i) Project sponsor: Salt Creek Joint Powers Board;

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

(iii) Project description:

(A) North Platte option-Replace or repair diversion facilities, transmission pipelines, booster pumps, storage facilities and appurtenances necessary to make the project complete and function in the manner intended; or

(B) Groundwater option-construction of groundwater wells, transmission pipelines, booster pumps, storage facilities and appurtenances necessary to make the project complete and function in the manner intended.

(iv) Project grant:

(A) If it is determined through the review of the commission and the select water committee that the North Platte option is the most viable water supply alternative, 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 three million seven hundred fifty thousand dollars ($3,750,000.00) or fifty percent (50%) of the actual development costs, whichever is less; or

(B) If it is determined through the review of the commission and the select water committee that the groundwater option is the most viable water supply alternative, the state of Wyoming shall grant to the sponsor from the 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 three million seven hundred fifty thousand dollars ($3,750,000.00).

(v) Appropriation: There is appropriated from water development account II to the commission three million seven hundred fifty thousand dollars ($3,750,000.00) 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, 1997.

Source notes for subsection (c): (Laws 1992, ch. 28, § 4c; 1993, ch. 89, § 6.)

(d) Project - Goshen Pump Station:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Replace existing pump station and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Three hundred thirty thousand dollars ($330,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred eight thousand nine hundred dollars ($108,900.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 twenty-one thousand one hundred dollars ($221,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred thirty thousand dollars ($330,000.00) 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, 1997.

Source notes for subsection (d): (Laws 1992, ch. 28, § 4d; 1994, ch. 28, § 14; 1995, ch. 206, § 8; 1996, ch. 59, § 10.)

(e) Project - North Fork Crazy Woman Rehabilitation Project:

(i) Project sponsor: Crazy Woman Watershed Improvement District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Irrigation pipelines, canal improvements, structure improvements, riprap repair, and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million three hundred thousand dollars ($1,300,000.00);

(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 six hundred fifty thousand dollars ($650,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred fifty thousand dollars ($650,000.00) 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, 1995;

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

Source notes for subsection (e): (Laws 1992, ch. 28, § 4e.)

(f) Project - Sahara Rehabilitation Project:

(i) Project sponsor: Powder River Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Diversion structure, canal improvements, siphons and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: nine hundred thousand dollars ($900,000.00);

(v) Project loan: The state of Wyoming shall loan 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 four hundred fifty thousand dollars ($450,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of forty (40) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 four hundred fifty thousand dollars ($450,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission nine hundred thousand dollars ($900,000.00) 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, 1996.

Source notes for subsection (f): (Laws 1992, ch. 28, § 4f; 1993, ch. 89, § 7.)

(g) Project - Shoshone Rehabilitation Project:

(i) Project sponsor: Shoshone Joint Powers Board;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Improvements to major canals and laterals, repair or replace major irrigation structures, and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Fifteen million dollars ($15,000,000.00);

(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 seven million five hundred thousand dollars ($7,500,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven million five hundred thousand dollars ($7,500,000.00) 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, 2000;

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

Source notes for subsection (g): (Laws 1992, ch. 28, § 4g; 1997, ch. 45, § 8.)

(h) Project - Wheatland Reservoir No. 1:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Dam safety improvements to Wheatland Dam No. 1 and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Three hundred ninety-two thousand dollars ($392,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred ninety-six thousand dollars ($196,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 hundred ninety-six thousand dollars ($196,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred ninety-two thousand dollars ($392,000.00) 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, 1995.

Source notes for subsection (h): (Laws 1992, ch. 28, § 4h.)

ARTICLE 3 - 1993 CONSTRUCTION PROJECTS

99-2-301. Definitions.

(a) As used in this act [§§ 99-2-301 through 99-2-304]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and

service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one of the projects identified in section 3 or 4 of this act [§ 99-2-303 or 99-2-304];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1993, ch. 89, § 1.)

99-2-302. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§§ 99-2-301 through 99-2-304] for the design, construction and operation of the project in a manner consistent with this act [§§ 99-2-301 through 99-2-304] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1993, ch. 89, § 2.)

99-2-303. Level III construction projects - new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

Source notes for subsection (a): (Laws 1993, ch. 89, § 3a.)

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project budget;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the

lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I. (Laws 1993, ch. 89, § 3a.)

(b) Project - Brooks Hat Six Water Supply Project:

(i) Project sponsor: Town of Evansville;

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

(iii) Project description: Transmission pipeline, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One hundred fifty thousand dollars ($150,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed forty-nine thousand five hundred dollars ($49,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20)

years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one hundred thousand five hundred dollars ($100,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred fifty thousand dollars ($150,000.00) 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, 1996;

(viii) Special conditions:

(A) Prior to the completion of the contract described in section 2(a) of this act, the sponsor shall complete a water supply agreement with the Brooks Hat Six Improvement and Service District. The water supply agreement will be subject to the approval of the commission;

(B) The size of the transmission pipeline is based on supplying water to other regional domestic water users, including but not limited to the Sandy Lake Estates Improvement and Service District. Therefore, subject to commission approval, the sponsor may sell water from the project to other domestic water users. The sale may be accomplished through lump sum payments or through the purchasers assuming a portion of the loan described in paragraph (v) of this subsection, or both. If the sales are accomplished through lump sum payments, the sponsor must use the payments to reduce the principal on the loan described in paragraph (v) of this subsection. Any sales other than for domestic purposes will be subject to the conditions described in paragraphs (xi) through (xiii) of subsection 3(a) of this act [§ 99-2-303(a)].

Source notes for subsection (b): (Laws 1993, ch. 89, § 3b.)

(c) Project - Cheyenne Storage Facility:

(i) Project sponsor: City of Cheyenne;

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

(iii) Project description: Storage facility, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Five million nine hundred thousand dollars ($5,900,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 sixty-seven thousand dollars ($767,000.00) or thirteen percent (13%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed seven hundred sixty-seven thousand dollars ($767,000.00) or thirteen percent (13%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million five hundred thirty-four thousand dollars ($1,534,000.00) 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, 1996;

(viii) Special conditions: The sponsor is responsible for acquiring seventy-four percent (74%) of the total project budget from other sources.

Source notes for subsection (c): (Laws 1993, ch. 89, § 3c.)

(d) Project - Freedom Water Supply Project:

(i) Project sponsor: Freedom Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Well, transmission pipeline, pump station, storage facility, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million one hundred thousand dollars ($1,100,000.00);

(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 construction of the project an amount not to exceed seven hundred thirty-seven thousand dollars ($737,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred thirty-seven thousand dollars ($737,000.00) 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, 1997;

(vii) Special conditions:

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

(B) The sponsor may purchase the well completed during the Level II study for a price of fifteen thousand dollars ($15,000.00) or thirty-three percent (33%) of the actual construction costs, whichever is less, if approved by the commission. The sponsor may purchase the well with a lump sum payment or with amortized payments based on a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (d): (Laws 1993, ch. 89, § 3d.)

(e) Project - Gillette Pipeline Project:

(i) Project sponsor: City of Gillette;

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

(iii) Project description: Transmission pipeline, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Six hundred ten thousand dollars ($610,000.00);

(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 construction of the project an amount not to exceed four hundred eight thousand seven hundred dollars ($408,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eight thousand seven hundred dollars ($408,700.00) 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, 1995;

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

Source notes for subsection (e): (Laws 1993, ch. 89, § 3e.)

(f) Project - Little Snake River Valley Dam and Reservoir Project:

(i) Project sponsor: State of Wyoming;

(ii) Project purpose: Agricultural, municipal and domestic water supply, recreation, environmental enhancement and mitigation for the Stage I, II and III transbasin diversion water supply projects;

(iii) Project description: Dam, outlet works, spillways and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Thirty-three million eight hundred thousand dollars ($33,800,000.00);

(v) Appropriation:

(A) There is appropriated from water development account I to the commission twenty-four million two hundred thousand dollars ($24,200,000.00) or as much thereof as is necessary to carry out the purpose of this subsection;

(B) Of the ten million dollars ($10,000,000.00) previously appropriated for funding of the Sandstone project by 1988 Wyoming Session Laws, Chapter 79, Section 7 [as amended by the 1989 Wyoming Session Laws, Chapter 268, Section 2], nine million six hundred thousand dollars ($9,600,000.00) or as much thereof as is necessary is appropriated to and may be used by the commission to carry out the purpose of this subsection;

(C) Unexpended funds appropriated under this subsection shall revert to the account established in W.S. 99-99-1001(a)(vi) on July 1, 2010.

(vi) Special conditions: The construction of the Little Snake River Valley Dam and reservoir project shall be deemed mitigation to the Little Snake River Basin for any and all impacts resulting from the operation of the Stage I and Stage II transbasin diversion water supply projects. The project sponsor shall ensure that after the project construction is complete, the reservoir is open for recreational use.

Source notes for subsection (f): (Laws 1993, ch. 89, § 3f; 1997, ch. 45, § 9; 1998, ch. 38, § 5; 2001, Ch. 2, § 4; 2010, ch. 68, § 2.)

(g) Project - South Laramie Water Supply Project:

(i) Project sponsor: South of Laramie Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Transmission pipelines, pump stations, storage facility, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Four million one hundred forty thousand dollars ($4,140,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred seventy-two thousand six hundred dollars ($372,600.00) or nine percent (9%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two million seven hundred seventy-three thousand eight hundred dollars ($2,773,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three million one hundred forty-six thousand four hundred dollars ($3,146,400.00) 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, 1997;

(viii) Special conditions: The sponsor is responsible for acquiring twenty-four percent (24%) of the total project budget from other sources.

Source notes for subsection (g): (Laws 1993, ch. 89, § 3g.)

(h) Project - Superior Water Supply Project:

(i) Project sponsor: Town of Superior;

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

(iii) Project description: Pump station, valves and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Forty thousand dollars ($40,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed thirteen thousand two hundred dollars ($13,200.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed twenty-six thousand eight hundred dollars ($26,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission forty thousand dollars ($40,000.00) 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, 1995.

Source notes for subsection (h): (Laws 1993, ch. 89, § 3h.)

99-2-304. Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project budget;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 1993, ch. 89, § 4a.)

(b) Project - Big Horn Canal Improvement Project:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purposes: Irrigation water supply;

(iii) Project description: Improvements to the Crooked S spillway on the main canal and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One hundred twenty thousand dollars ($120,000.00);

(v) Project loan: The state of Wyoming shall loan 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 sixty thousand dollars ($60,000.00) or fifty percent (50%) of the actual rehabilitation costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 sixty thousand dollars ($60,000.00) or fifty percent (50%) of the actual rehabilitation costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred twenty thousand dollars ($120,000.00) 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, 1996.

Source notes for subsection (b): (Laws 1993, ch. 89, § 4b.)

(c) Project - Cheyenne Stage I Pipeline Project:

(i) Project sponsor: City of Cheyenne;

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

(iii) Project description: Repair of the existing Stage I pipeline and collector system and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Thirteen million seven hundred thousand dollars ($13,700,000.00);

(v) Project loan: The state of Wyoming shall loan 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 six million eight hundred fifty thousand dollars ($6,850,000.00) or fifty percent (50%) of the actual rehabilitation costs, whichever is less, for a term of forty (40) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 six million eight hundred fifty thousand dollars ($6,850,000.00) or fifty percent (50%) of the actual rehabilitation costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission thirteen million seven hundred thousand dollars ($13,700,000.00) 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, 1999.

Source notes for subsection (c): (Laws 1993, ch. 89, § 4c; 1995, ch. 206, § 9; 1996, ch. 59, § 11.)

(d) Project - Cheyenne Well Rehabilitation Project-Phase II:

(i) Project sponsor: City of Cheyenne;

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

(iii) Project description: Rehabilitation of not more than ten (10) wells including redrilling, casing, pumps, electrical facilities, meters, piping, well houses and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million two hundred fifty thousand dollars ($1,250,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, project land

procurement, well testing, construction engineering and construction of the project an amount not to exceed six hundred twenty-five thousand dollars ($625,000.00) or fifty percent (50%) of the actual rehabilitation costs, whichever is less, for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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, well testing, construction engineering and construction of the project an amount not to exceed six hundred twenty-five thousand dollars ($625,000.00) or fifty percent (50%) of the actual rehabilitation costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million two hundred fifty thousand dollars ($1,250,000.00) 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, 1996.

Source notes for subsection (d): (Laws 1993, ch. 89, § 4d.)

(e) Project - Goshen Canal Improvement Project:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Rehabilitation of spillways on the main canal and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Fifty thousand dollars ($50,000.00);

(v) Project loan: The state of Wyoming shall loan 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 twelve thousand two hundred fifty dollars ($12,250.00) or twenty-four and one-half percent (24.5%) of the actual rehabilitation costs, whichever is less, for a term of ten (10) years from the date the commission

determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 twelve thousand two hundred fifty dollars ($12,250.00) or twenty-four and one-half percent (24.5%) of the actual rehabilitation costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission twenty-four thousand five hundred dollars ($24,500.00) 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, 1996;

(viii) Special conditions: The sponsor is responsible for acquiring fifty-one percent (51%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 1993, ch. 89, § 4e.)

(f) Project - Little Snake Rehabilitation Project:

(i) Project sponsor: Little Snake River Conservancy District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Replacement of diversion structures and rehabilitation of two canals and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Two million seven hundred thousand dollars ($2,700,000.00);

(v) Project loan: The state of Wyoming shall loan 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 six hundred seventy-five thousand dollars ($675,000.00) or twenty-five percent (25%) of the actual rehabilitation costs, whichever is less, for a term of thirty-five (35) years from the date the commission

determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 twenty-five thousand dollars ($2,025,000.00) or seventy-five percent (75%) of the actual rehabilitation costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two million seven hundred thousand dollars ($2,700,000.00) 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, 1996.

Source notes for subsection (f): (Laws 1993, ch. 89, § 4f.)

(g) [Project - Riverton Valley Canal Improvement Project]

Source notes for subsection (g): (Laws 1993, ch. 89, § 4g; Repealed by Laws 1994, ch. 28, § 17.)

(h) Project - Sinnard Dam Project:

(i) Project sponsor: Horse Creek Conservation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Rehabilitation of an existing dam and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: One million one hundred thousand dollars ($1,100,000.00);

(v) Project loan: The state of Wyoming shall loan 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 seventy-five thousand dollars ($275,000.00) or twenty-five percent (25%) of the actual rehabilitation costs, whichever is less, for a term of fifty (50) years from the date the commission determines

project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) 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 eight hundred twenty-five thousand dollars ($825,000.00) or seventy-five percent (75%) of the actual rehabilitation costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million one hundred thousand dollars ($1,100,000.00) 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, 1996;

(viii) Special conditions: Project conditions for the Hawk Springs project authorized by W.S. 41-2-218(a)(ii)(intro) and 1985 Wyoming Session Laws, Chapter 224, Section 1(c)(intro) shall be modified to decrease the interest rate on funds loaned to the sponsor to four percent (4%).

Source notes for subsection (h): (Laws 1993, ch. 89, § 4h.)

ARTICLE 4 - 1994 CONSTRUCTION PROJECTS

99-2-401. Definitions.

(a) As used in this act [§§ 99-2-401 through 99-2-404]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one (1) of the projects identified in section 3 or 4 of this act [§ 99-2-403 or 99-2-404];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1994, ch. 28, § 1.)

99-2-402. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§§ 99-2-401 through 99-2-404] for the design, construction and operation of the project in a manner consistent with this act [§§ 99-2-401 through 99-2-404] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1994, ch. 28, § 2.)

99-2-403. Level III construction projects - new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the

principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 1994, ch. 28, § 3a.)

(b) [Project - Casper Irrigation Project]

Source notes for subsection (b): (Laws 1994, ch. 28, § 3b; Repealed by Laws 1995, ch. 206, § 11.)

(c) Project - Cokeville Water Supply Project:

(i) Project sponsor: Town of Cokeville;

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

(iii) Project description: Wells, pump stations, transmission pipeline, storage facility and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred forty thousand dollars ($740,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred thirty-three thousand two hundred dollars ($133,200.00) or eighteen percent (18%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission

determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed four hundred ninety-five thousand eight hundred dollars ($495,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred twenty-nine thousand dollars ($629,000.00) 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, 1997;

(viii) Special conditions: The sponsor is responsible for acquiring fifteen percent (15%) of the total project budget from other sources.

Source notes for subsection (c): (Laws 1994, ch. 28, § 3c.)

(d) Project - Collins Heights Water Supply Project:

(i) Project sponsor: Collins Heights Industrial Park Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred thousand dollars ($200,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed sixty-six thousand dollars ($66,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of fifteen (15)

years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one hundred thirty-four thousand dollars ($134,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I 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 I on July 1, 1996.

Source notes for subsection (d): (Laws 1994, ch. 28, § 3d.)

(e) Project - Cook Road Water Supply Project:

(i) Project sponsor: Cook Road Water District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Pump station, transmission pipeline, storage facility and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seven hundred thousand dollars ($1,700,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred sixty-one thousand dollars ($561,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty-eight (38) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one million one hundred thirty-nine thousand dollars ($1,139,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million seven hundred thousand dollars ($1,700,000.00) 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, 1998;

(viii) Special conditions:

(A) Thirty-three thousand eight hundred seventy dollars ($33,870.00), which is thirty-three percent (33%) of the construction costs of the groundwater well completed during the Level II study, shall be added to the loan amount provided in paragraph (v) of this subsection;

(B) Payment of interest and principal and accrual of interest on the loan shall be deferred until three (3) years after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining thirty-five (35) years of the term.

Source notes for subsection (e): (Laws 1994, ch. 28, § 3e; 1995, ch. 206, § 10.)

(f) Project - Etna Water Supply Project:

(i) Project sponsor: Etna Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Pump station, spring renovation, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred fourteen thousand dollars ($1,114,000.00);

(v) Repealed By Laws 1998, ch. 38, § 6.

(vi) 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 construction of the project an amount not to exceed six hundred ninety thousand dollars ($690,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred ninety thousand dollars ($690,000.00) 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, 2002;

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of sixteen thousand five hundred dollars ($16,500.00) constituting thirty-three percent (33%) of the actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments based on thirty-three percent (33%) of the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, a purchase agreement must be completed prior to commencement of the project.

(B) The sponsor is responsible for acquiring thirty-three percent (33%) or the balance of the total project budget, whichever is greater, from other sources.

Source notes for subsection (f): (Laws 1994, ch. 28, § 3f; 1997, ch. 45, § 10; 1998, ch. 38, § 6.)

(g) Project - Greybull Valley Dam and Reservoir Project:

(i) Project sponsor: Greybull Valley Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Diversion structure, supply canal, dam and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Thirty-two million fifty-seven thousand four hundred fifty-eight dollars ($32,057,458.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eight million fourteen thousand three hundred sixty-four dollars and fifty cents ($8,014,364.50) or twenty-five percent (25%) of the actual design, permitting, and land procurement costs, whichever is less, for a term of fifty (50) years from the date the commission determines project benefits accrue to the sponsor or that the project will not be constructed, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed twenty-four million forty-three thousand ninety-three dollars and fifty cents ($24,043,093.50) or seventy-five percent (75%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission thirty-two million fifty-seven thousand four hundred fifty-eight dollars ($32,057,458.00) 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, 2010;

(viii) Special condition: Payment of interest and principal and accrual of interest on the loan shall be deferred until six (6) years after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining forty-four (44) years.

Source notes for subsection (g): (Laws 1994, ch. 28, § 3g; 1996, ch. 59, § 12; 2002, Ch. 88, § 2; 2005, ch. 147, § 2.)

(h) Project - Jackson Water Supply Project:

(i) Project sponsor: Town of Jackson;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Wells, pump stations, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred thousand dollars ($2,300,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 fifty-nine thousand dollars ($759,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one million five hundred forty-one thousand dollars ($1,541,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two million three hundred thousand dollars ($2,300,000.00) 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, 1997.

Source notes for subsection (h): (Laws 1994, ch. 28, § 3h.)

(j) Project - McKenney Water Supply Project:

(i) Project sponsor: McKenney Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred forty thousand dollars ($140,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed forty-six thousand two hundred dollars ($46,200.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty-one (21) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed ninety-three thousand eight hundred dollars ($93,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred forty thousand dollars ($140,000.00) 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, 1996;

(viii) Payment of interest and principal and accrual of interest on the loan shall be deferred until one (1) year after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining twenty (20) years of the term.

Source notes for subsection (j): (Laws 1994, ch. 28, § 3j.)

(k) Project - Means Water Supply Project:

(i) Project sponsor: Means Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Pump station, transmission pipeline, and storage facility and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred twenty-five thousand dollars ($225,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seventy-four thousand two hundred fifty dollars ($74,250.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one hundred fifty thousand seven hundred fifty dollars ($150,750.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred twenty-five thousand dollars ($225,000.00) 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, 1997.

Source notes for subsection (k): (Laws 1994, ch. 28, § 3k.)

(m) Project - Moorcroft Water Supply Project:

(i) Project sponsor: Town of Moorcroft;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Pump station, transmission pipelines, storage facility and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred thirty thousand dollars ($930,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the

commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred six thousand nine hundred dollars ($306,900.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed six hundred twenty-three thousand one hundred dollars ($623,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission nine hundred thirty thousand dollars ($930,000.00) 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, 1997;

(viii) Special conditions: Twenty-four thousand seven hundred fifty dollars ($24,750.00), which is thirty-three percent (33%) of the construction costs of the groundwater well completed during the Level II study, shall be added to the loan amount provided in paragraph (v) of this subsection.

Source notes for subsection (m): (Laws 1994, ch. 28, § 3m.)

(n) Project - Pavillion Water Supply Project:

(i) Project sponsor: Town of Pavillion;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Well, pump station, transmission pipelines, storage facility 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 loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred thirty-two thousand dollars ($132,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two hundred sixty-eight thousand dollars ($268,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred thousand dollars ($400,000.00) 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, 1997.

Source notes for subsection (n): (Laws 1994, ch. 28, § 3n.)

(o) Project - Vista West Water Supply Project:

(i) Project sponsor: Vista West Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Well, pump stations, transmission pipeline, storage facility improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred forty thousand dollars ($540,000.00);

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

project an amount not to exceed one hundred seventy-eight thousand two hundred dollars ($178,200.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty-one (31) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed three hundred sixty-one thousand eight hundred dollars ($361,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred forty thousand dollars ($540,000.00) 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, 1997;

(viii) Special conditions:

(A) Eight thousand five hundred eighty dollars ($8,580.00), which is thirty-three percent (33%) of the construction costs of the groundwater well completed during the Level II study, shall be added to the loan amount provided in paragraph (v) of this subsection;

(B) Payment of interest and principal and accrual of interest on the loan shall be deferred until one (1) year after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining thirty (30) years of the term.

Source notes for subsection (o): (Laws 1994, ch. 28, § 3o.)

(p) Project - Pine Butte Water Supply Project:

(i) Project sponsor: Pine Butte Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Pump station and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thousand dollars ($100,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed thirty-three thousand dollars ($33,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed sixty-seven thousand dollars ($67,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred thousand dollars ($100,000.00) 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, 1997;

(viii) Special conditions: Project financing plan shall be approved by district election prior to July 1, 1995. Unexpended funds appropriated under this section shall revert to water development account I on July 1, 1995, if voters in the district reject the project financing plan.

Source notes for subsection (p): (Laws 1994, ch. 28, § 3p.)

99-2-404. Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 1994, ch. 28, § 4a.)

(b) Project - Antelope Valley Storage Facility Project:

(i) Project sponsor: Antelope Valley Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Replacement and enlargement of a storage facility, connection to the Crestview system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred fifty thousand dollars ($850,000.00);

(v) Project loan: The state of Wyoming shall loan 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 eighty thousand five hundred dollars ($280,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 five hundred sixty-nine thousand five hundred dollars ($569,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission eight hundred fifty thousand dollars ($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 II on July 1, 1997.

Source notes for subsection (b): (Laws 1994, ch. 28, § 4b.)

(c) Project - Dixon Water Supply Project:

(i) Project sponsor: Town of Dixon;

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

(iii) Project description: Diversion structure, infiltration gallery, wet well, pump station and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fifteen thousand dollars ($215,000.00);

(v) Project loan: The state of Wyoming shall loan 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 seventy thousand nine hundred fifty dollars ($70,950.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 hundred forty-four thousand fifty dollars ($144,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred fifteen thousand dollars ($215,000.00) 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, 1997.

Source notes for subsection (c): (Laws 1994, ch. 28, § 4c.)

(d) Project - LeClair Lateral Project:

(i) Project sponsor: LeClair Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Improvements to irrigation laterals and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred thousand dollars ($1,500,000.00);

(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 approved by the commission an amount not to exceed seven hundred fifty thousand dollars ($750,000.00) or one hundred percent (100%) of said material costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred fifty thousand dollars ($750,000.00) 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, 1999;

(vii) Special conditions: The sponsor is responsible for all costs related to project design, permit procurement, land procurement, construction engineering and construction of the project.

Source notes for subsection (d): (Laws 1994, ch. 28, § 4d.)

(e) Project - Riverton Valley Lateral Project:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Improvements to irrigation laterals and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred thousand dollars ($700,000.00);

(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 approved by the commission an amount not to exceed three hundred fifty thousand dollars ($350,000.00) or one hundred percent (100%) of said material costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred fifty

thousand dollars ($350,000.00) 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, 1999;

(vii) Special conditions: The sponsor is responsible for all costs related to project design, permit procurement, land procurement, construction engineering and construction of the project.

Source notes for subsection (e): (Laws 1994, ch. 28, § 4e.)

(f) Project-Sleepy Hollow Well Replacement Project:

(i) Project sponsor: Central Campbell County Improvement and Service District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Replacement of an existing well and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred seventy-five thousand dollars ($375,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred eighty-seven thousand five hundred dollars ($187,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 hundred eighty-seven thousand five hundred dollars ($187,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred

seventy-five thousand dollars ($375,000.00) 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, 1996.

Source notes for subsection (f): (Laws 1994, ch. 28, § 4f.)

ARTICLE 5 - 1995 CONSTRUCTION PROJECTS

99-2-501. Definitions.

(a) As used in this act [§§ 99-2-501 through 99-2-504]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one (1) or more of the projects identified in section 3 or 4 of this act [§ 99-2-503 or 99-2-504];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1995, ch. 206, § 1.)

99-2-502. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§§ 99-2-501 through 99-2-504] for the design, construction and operation of the project in a manner consistent with this act [§§ 99-2-501 through 99-2-504] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1995, ch. 206, § 2.)

99-2-503. Level III construction projects-new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of

ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 1995, ch. 206, § 3a.)

(b) Project - Alpine Water Supply Project:

(i) Project sponsor: Town of Alpine;

(ii) Project purpose: Municipal and domestic supply;

(iii) Project description: Storage facilities, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred thousand dollars ($700,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 thirty-one thousand dollars ($231,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed four hundred sixty-nine thousand dollars ($469,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred thousand dollars ($700,000.00) 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, 1998.

Source notes for subsection (b): (Laws 1995, ch. 206, § 3b.)

(c) Project - Basin Area Water Supply Project:

(i) Project sponsor: South Bighorn County Joint Powers Board;

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

(iii) Project description: Wells, pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine million two hundred ninety-nine thousand dollars ($9,299,000.00);

(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 construction of the project an amount not to exceed six million two hundred thirty thousand dollars ($6,230,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six million two hundred thirty thousand dollars ($6,230,000.00) 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, 2002;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price of one hundred twelve thousand two hundred dollars ($112,200.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (c): (Laws 1995, ch. 206, § 3c; 1996, ch. 59, § 13; 1998, ch. 38, § 7.)

(d) Project - Big Piney Water Supply Project:

(i) Project sponsor: Town of Big Piney;

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

(iii) Project description: Transmission pipelines, wells, controls, storage facility to serve the towns of Big Piney and Marbleton, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million dollars ($1,000,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred thirty thousand dollars ($330,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed six hundred seventy thousand dollars ($670,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million dollars ($1,000,000.00) 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 I on July 1, 2000.

Source notes for subsection (d): (Laws 1995, ch. 206, § 3d; 1996, ch. 59, § 14.)

(e) Project - Gillette Madison Well Field Expansion Project:

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Two million four hundred seventy-five thousand dollars ($2,475,000.00);

(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 construction of the project an amount not to exceed one million six hundred fifty-eight thousand two hundred fifty dollars ($1,658,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million six hundred fifty-eight thousand two hundred fifty dollars ($1,658,250.00) 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, 1999;

(vii) Special conditions:

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

(B) Prior to entering into the contract authorized by section 2(a) of this act, the commission shall hold at least one (1) public hearing within the town of Moorcroft, Wyoming, for the purpose of explaining the proposed project including the proposal to expand the Madison well field.

Source notes for subsection (e): (Laws 1995, ch. 206, § 3e; 1996, ch. 59, § 15.)

(f) Project - Laramie Water Supply Project:

(i) Project sponsor: City of Laramie;

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

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

(iv) Total project budget: Four million four hundred thousand dollars ($4,400,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 four hundred fifty-two thousand dollars ($1,452,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two million nine hundred forty-eight thousand dollars ($2,948,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission four million four hundred thousand dollars ($4,400,000.00) 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, 1999.

Source notes for subsection (f): (Laws 1995, ch. 206, § 3f; 1996, ch. 59, § 16.)

(g) Project - Natrona County Regional Water Supply Project:

(i) Project sponsor: Natrona County Regional Water System Joint Powers Board;

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

(iii) Project description: Storage facilities, pump stations, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Twenty-six million seven hundred fifty thousand dollars ($26,750,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eight million eight hundred twenty-seven thousand five hundred dollars ($8,827,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed seventeen million nine hundred twenty-two thousand five hundred dollars ($17,922,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission twenty-six million seven hundred fifty thousand dollars ($26,750,000.00) 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, 2002.

Source notes for subsection (g): (Laws 1995, ch. 206, § 3g; 1996, ch. 59, § 17; 1998, ch. 38, § 8.)

(h) Project - Poison Spider Water Supply Project:

(i) Project sponsor: Poison Spider Service and Improvement District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred forty thousand dollars ($640,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 eleven thousand two hundred dollars ($211,200.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of forty (40) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed four hundred twenty-eight thousand eight hundred dollars ($428,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred forty thousand dollars ($640,000.00) 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, 1998.

Source notes for subsection (h): (Laws 1995, ch. 206, § 3h.)

(j) Project - Ryan Park Water Supply Project:

(i) Project sponsor: Northwest Ryan Park Water and Sewer District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Wells, pump stations, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million dollars ($1,000,000.00). Phase I budget: Two hundred thousand dollars ($200,000.00);

(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 construction of the project an amount not to exceed one hundred thirty-four thousand dollars ($134,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred thirty-four thousand dollars ($134,000.00) 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, 1998;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price of fifty-two thousand three hundred forty dollars ($52,340.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (j): (Laws 1995, ch. 206, § 3j.)

(k) Project-Squaw Creek Water Supply Project:

(i) Project sponsor: Squaw Creek Water District;

(ii) Project purpose: Domestic water supply;

(iii) Project description: Wells, storage facilities, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred eighty thousand dollars ($580,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred ninety-one thousand four hundred dollars ($191,400.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed three hundred eighty-eight thousand six hundred dollars ($388,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred eighty thousand dollars ($580,000.00) 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, 1998. (Laws 1995, ch. 206, § 3k.)

99-2-504. Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II. (Laws 1995, ch. 206, § 4a.)

(b) Project-Big Horn Canal Improvements Project:

(i) Project sponsor: Big Horn Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Canal lining, replacement or repair of irrigation structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred ninety-three thousand dollars ($693,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred forty-six thousand five hundred dollars ($346,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 three hundred forty-six thousand five hundred dollars ($346,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission six hundred ninety-three thousand dollars ($693,000.00) 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, 1998.

Source notes for subsection (b): (Laws 1995, ch. 206, § 4b.)

(c) Project - Gillette Fort Union Well Field Project:

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Three million four hundred fifty thousand dollars ($3,450,000.00). Phase I budget: One million one hundred thousand dollars ($1,100,000.00). Phase II budget: One million eight hundred fifty thousand dollars ($1,850,000.00). Phase III budget: Five hundred thousand dollars ($500,000.00);

(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 seven hundred twenty-five thousand dollars ($1,725,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million seven hundred twenty-five thousand dollars ($1,725,000.00) 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, 2002;

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

Source notes for subsection (c): (Laws 1995, ch. 206, § 4c; 1996, ch. 59, § 18; 1998, ch. 38, § 9.)

(d) Project - Laramie Rehabilitation Project:

(i) Project sponsor: City of Laramie;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Transmission pipeline, well, repair of storage facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seven hundred fifty thousand dollars ($1,750,000.00);

(v) Project loan: The state of Wyoming shall loan 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 eight hundred seventy-five thousand dollars ($875,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 eight hundred seventy-five

thousand dollars ($875,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million seven hundred fifty thousand dollars ($1,750,000.00) 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, 1999.

Source notes for subsection (d): (Laws 1995, ch. 206, § 4d; 1996, ch. 59, § 19.)

(e) Project - Midvale Sand Mesa Pipeline Project:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Conversion of an open canal to a pipeline and appurtenances necessary to make the project function in the manner intended;

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

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed three million dollars ($3,000,000.00) or one hundred percent (100%) of said material costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three million dollars ($3,000,000.00) 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 II on July 1, 1999;

(vii) Special conditions: The sponsor is responsible for the design, permit procurement, project land procurement, construction engineering and construction of the project.

Source notes for subsection (e): (Laws 1995, ch. 206, § 4e.)

(f) Project - Natrona County Regional Rehabilitation Project:

(i) Project sponsor: Natrona County Regional Water System Joint Powers Board;

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

(iii) Project description: Well field and storage facilities rehabilitation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million three hundred fifty-seven thousand dollars ($5,357,000.00);

(v) Project loan: The state of Wyoming shall loan 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 seventy-eight thousand five hundred dollars ($2,678,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 seventy-eight thousand five hundred dollars ($2,678,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission five million three hundred fifty-seven thousand dollars ($5,357,000.00) 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, 2002.

Source notes for subsection (f): (Laws 1995, ch. 206, § 4f; 1996, ch. 59, § 20; 1998, ch. 38, § 10.)

(g) Project - Sidon Canal Improvements Project:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Diversion structure, replacement or repair of irrigation structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million sixty thousand dollars ($1,060,000.00);

(v) Project loan: The state of Wyoming shall loan 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 five hundred thirty thousand dollars ($530,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 five hundred thirty thousand dollars ($530,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million sixty thousand dollars ($1,060,000.00) 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, 1998.

Source notes for subsection (h): (Laws 1995, ch. 206, § 4g.)

ARTICLE 6 - 1996 CONSTRUCTION PROJECTS

99-2-601. Definitions.

(a) As used in this act [§§ 99-2-601 through 99-2-604]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one (1) or more of the projects identified in section 3 or 4 of this act [§ 99-2-603 or 99-2-604];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1996, ch. 59, § 1.)

99-2-602. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§§ 99-2-601 through 99-2-604] for the design, construction and operation of the project in a manner consistent with this act [§§ 99-2-601 through 99-2-604] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1996, ch. 59, § 2.)

99-2-603. Level III construction projects-new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the

lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 1996, ch. 59, § 3a.)

(b) Project - Cody Area Water Supply Project:

(i) Project sponsor: City of Cody;

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

(iii) Project description: Pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred eighty-five thousand dollars ($785,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 fifty-nine thousand

fifty dollars ($259,050.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed five hundred twenty-five thousand nine hundred fifty dollars ($525,950.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred eighty-five thousand dollars ($785,000.00) 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, 1999.

Source notes for subsection (b): (Laws 1996, ch. 59, § 3b.)

(c) Project - Elk Mountain Water Supply Project:

(i) Project sponsor: Town of Elk Mountain;

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

(iii) Project description: Well, pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred thirty-five thousand dollars ($335,000);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred ten thousand five hundred fifty dollars ($110,550.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission

determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two hundred twenty-four thousand four hundred fifty dollars ($224,450.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred thirty-five thousand dollars ($335,000.00) 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, 1999;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of sixty-six thousand dollars ($66,000.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (c): (Laws 1996, ch. 59, § 3c.)

(d) Project - Guernsey Water Supply Project:

(i) Project sponsor: Town of Guernsey;

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

(iii) Project description: Well, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred fifty thousand dollars ($550,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred eighty-one thousand five hundred dollars ($181,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed three hundred sixty-eight thousand five hundred dollars ($368,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred fifty thousand dollars ($550,000.00) 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, 1999.

Source notes for subsection (d): (Laws 1996, ch. 59, § 3d.)

(e) Project - Lusk Water Supply Project:

(i) Project sponsor: Town of Lusk;

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

(iii) Project description: Pumps, valves, transmission pipelines, storage facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million one hundred thousand dollars ($2,100,000.00);

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

project an amount not to exceed one hundred sixty eight thousand nine hundred eighty dollars ($168,980.00) or thirty-three percent (33%) of the actual development costs of components eligible for commission funding, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed five hundred forty thousand twenty dollars ($540,020.00) or sixty-seven percent (67%) of the actual development costs of components eligible for commission funding, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred nine thousand dollars ($709,000.00) 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, 1999;

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of thirty thousand dollars ($30,000.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreement must be completed prior to commencement of the project;

(B) The sponsor is responsible for acquiring the additional funds from other sources.

Source notes for subsection (e): (Laws 1996, ch. 59, § 3e; 1997, ch. 45, § 11.)

(f) Project - Pinedale Water Supply Project:

(i) Project sponsor: Town of Pinedale;

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

(iii) Project description: Transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million five hundred fifty thousand dollars ($3,550,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 seventy-one thousand five hundred dollars ($1,171,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, unless the sponsor commits to install water meters in which case the term of the loan shall be thirty (30) years, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed two million three hundred seventy-eight thousand five hundred dollars ($2,378,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three million five hundred fifty thousand dollars ($3,550,000.00) 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, 1999.

Source notes for subsection (f): (Laws 1996, ch. 59, § 3f.)

(g) Project - Riverton Water Supply Project:

(i) Project sponsor: City of Riverton;

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

(iii) Project description: Well, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred sixty-six thousand dollars ($466,000.00);

(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 construction of the project an amount not to exceed three hundred twelve thousand dollars ($312,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred twelve thousand dollars ($312,000.00) 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, 2001;

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

Source notes for subsection (g): (Laws 1996, ch. 59, § 3g; 1999, ch. 16, § 3.)

(h) Project - Rolling Hills Water Supply Project:

(i) Project sponsor: Town of Rolling Hills;

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

(iii) Project description: Pump, transmission pipelines, gas strippers and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred eighty-two thousand dollars ($282,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed ninety-three thousand sixty dollars ($93,060.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one hundred eighty-eight thousand nine hundred forty dollars ($188,940.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred eighty-two thousand dollars ($282,000.00) 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, 1999;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of twenty-six thousand four hundred dollars ($26,400.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (h): (Laws 1996, ch. 59, § 3h; 1997, ch. 45, § 12.)

(j) Project - Upper Little Warm Springs Water Supply Project:

(i) Project sponsor: Little Warm Springs Water District;

(ii) Project purpose: Domestic water supply within the district boundaries;

(iii) Project description: Wells, storage facilities, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million six hundred thousand dollars ($1,600,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred twenty-eight thousand dollars ($528,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one million seventy-two thousand dollars ($1,072,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million six hundred thousand dollars ($1,600,000.00) 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, 1999;

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of fifty-five thousand dollars ($55,000.00) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, the purchase

agreement must be completed prior to commencement of the project;

(B) Payment of interest and principal and accrual of interest on the loan shall be deferred until two (2) years after the term of the loan commences as determined by the commission. The loan shall be amortized over the remaining twenty-eight (28) years of the term.

Source notes for subsection (j): (Laws 1996, ch. 59, § 3j.)

99-2-604. Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsors;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project,

that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 1996, ch. 59, § 4a.)

(b) Project - Cokeville Tri-Diversion Project:

(i) Project sponsor: Cokeville Watershed Improvement District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Replacement or repair of tri-diversion irrigation structure and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred sixty thousand dollars ($160,000.00);

(v) Project loan: The state of Wyoming shall loan 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 eighty thousand dollars ($80,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 eighty thousand dollars ($80,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred sixty thousand dollars ($160,000.00) 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, 1999.

Source notes for subsection (b): (Laws 1996, ch. 59, § 4b.)

(c) Elkhorn Creek Water Supply Project:

(i) Project sponsor: Town of Evansville;

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

(iii) Project description: Installation of collection facilities and replacement of pipeline, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred thousand dollars ($900,000.00). Phase I budget: Fifty thousand dollars ($50,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering and construction of the project an amount not to exceed fifty thousand dollars ($50,000.00) for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7 1/4%);

(vi) Appropriation: There is appropriated from water development account II to the commission fifty thousand dollars ($50,000.00) 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, 1999.

Source notes for subsection (c): (Laws 1996, ch. 59, § 4c.)

(d) Project - Greybull Rehabilitation Project:

(i) Project sponsor: Town of Greybull;

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

(iii) Project description: Transmission pipeline improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred fifty-five thousand dollars ($355,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred seventy-seven thousand five hundred dollars ($177,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 hundred seventy-seven thousand five hundred dollars ($177,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred fifty-five thousand dollars ($355,000.00) 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, 1999.

Source notes for subsection (d): (Laws 1996, ch. 59, § 4d.)

(e) Project - Lyman Springs Rehabilitation Project:

(i) Project sponsor: Town of Lyman;

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

(iii) Project description: Spring improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fifty-five thousand dollars ($255,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred twenty-seven thousand five hundred dollars ($127,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 hundred twenty-seven thousand five hundred dollars ($127,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred fifty-five thousand dollars ($255,000.00) 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, 1999.

Source notes for subsection (e): (Laws 1996, ch. 59, § 4e.)

(f) Project - Pine Bluffs Well Rehabilitation Project:

(i) Project sponsor: Town of Pine Bluffs;

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

(iii) Project description: Well improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred fifty-five thousand dollars ($155,000.00);

(v) Project loan: The state of Wyoming shall loan 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 seventy-seven thousand five hundred dollars ($77,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 seventy-seven thousand five hundred dollars ($77,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred fifty-five thousand dollars ($155,000.00) 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, 1999.

Source notes for subsection (f): (Laws 1996, ch. 59, § 4f.)

(g) Project - Porto Canal Irrigation Project:

(i) Project sponsor: Porto Canal Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Irrigation pipelines and replacement or repair of irrigation structure and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred eight thousand dollars ($808,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred twenty-three thousand two hundred dollars ($323,200.00) or forty percent (40%) of the actual development costs, whichever is less, for a

term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 four hundred eighty-four thousand eight hundred dollars ($484,800.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission eight hundred eight thousand dollars ($808,000.00) 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, 1999.

Source notes for subsection (g): (Laws 1996, ch. 59, § 4g.)

ARTICLE 7 - 1997 CONSTRUCTION PROJECTS

99-2-701. Definitions.

(a) As used in this act [§§ 99-2-701 through 99-2-704]:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one (1) or more of the projects identified in section 3 or 4 of this act [§ 99-2-703 or 99-2-704];

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii). (Laws 1997, ch. 45, § 1.)

99-2-702. General authorization.

(a) The commission shall contract with each sponsor identified in this act [§§ 99-2-701 through 99-2-704] for the

design, construction and operation of the project in a manner consistent with this act [§§ 99-2-701 through 99-2-704] and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1997, ch. 45, § 2.)

99-2-703. Level III construction projects-new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) A sponsor shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsor;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all

grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as

defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 1997, ch. 45, § 3a.)

(b) Project - American Road Water Supply Project:

(i) Project sponsor: American Road Water and Sewer District;

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

(iii) Project description: A Fort Union production well, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fifty thousand dollars ($250,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred thousand dollars ($100,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one hundred fifty thousand dollars ($150,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred fifty thousand dollars ($250,000.00) 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, 2000.

Source notes for subsection (b): (Laws 1997, ch. 45, § 3b.)

(c) Project - Burlington Water Supply Project:

(i) Project sponsor: Town of Burlington;

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

(iii) Project description: Well head protection program, pump installation for existing wells, pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six Hundred thousand dollars ($600,000.00);

(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 construction of the project an amount not to exceed three hundred sixty thousand dollars ($360,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred sixty thousand dollars ($360,000.00) 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, 2000;

(vii) Special condition: The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (c): (Laws 1997, ch. 45, § 3c.)

(d) Project - Carpenter Water Supply Project:

(i) Project sponsor: Carpenter Water and Sewer District;

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

(iii) Project description: Wells, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred sixty thousand dollars ($860,000.00), of which, five hundred thirty eight thousand dollars ($538,000.00) is for expenses associated with eligible commission components;

(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 construction of the project an amount not to exceed three hundred sixty thousand ($360,000.00) or sixty-seven percent (67%) of the actual development costs for commission eligible components, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred sixty thousand dollars ($360,000.00) 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, 2000;

(vii) Special condition: The sponsor is responsible for acquiring fifty-eight percent (58%) of the total project budget from other sources.

Source notes for subsection (d): (Laws 1997, ch. 45, § 3d.)

(e) Project - Osage Water Supply Project:

(i) Project sponsor: Osage Water District;

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

(iii) Project description: Valves, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million nine hundred seventy-two thousand dollars ($1,972,000.00), of which one

million five hundred thousand dollars ($1,500,000.00) is for expenses associated with eligible commission components;

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 ($200,000.00) or ten percent (10%) of the actual total project development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 construction of the project an amount not to exceed one million five thousand dollars ($1,005,000.00) or fifty-one percent (51%) of the actual total project development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million two hundred five thousand dollars ($1,205,000.00) 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, 2000;

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of eighteen thousand eight hundred one dollars and forty-six cents ($18,801.46). The sponsor may purchase the well with a lump sum payment or with amortized payments based on the actual construction costs for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%). In either event, a Level II well purchase agreement must be completed prior to commencement of the project;

(B) The sponsor is responsible for acquiring thirty-nine percent (39%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 1997, ch. 45, § 3e.)

99-2-704. Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this section shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsor;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 1997, ch. 45, § 4a.)

(b) Project - Cheyenne Raw Water Project:

(i) Project sponsor: City of Cheyenne;

(ii) Project purpose: Irrigation water supply for parks and golf course complex in northwest Cheyenne;

(iii) Project description: An existing 16 inch potable water main will be converted to a raw water pipeline to supply irrigation water to parks and golf courses located in the northwestern area of Cheyenne. The project includes pump station construction, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million eight hundred thousand dollars ($1,800,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed nine hundred thousand dollars ($900,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed nine hundred thousand dollars ($900,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million eight hundred thousand dollars ($1,800,000.00) 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, 2000.

Source notes for subsection (b): (Laws 1997, ch. 45, § 4b.)

(c) Chugwater Water Supply Project:

(i) Project sponsor: Town of Chugwater;

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

(iii) Project description: Wellhead protection, tank rehabilitation, transmission main replacement and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred seven thousand dollars ($207,000.00);

(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 hundred three thousand five hundred dollars ($103,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred three thousand five hundred dollars ($103,500.00) 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, 2000;

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

Source notes for subsection (c): (Laws 1997, ch. 45, § 4c.)

(d) Project - Cody Raw Water Project:

(i) Project sponsor: City of Cody;

(ii) Project purpose: Raw water irrigation supply;

(iii) Project description: pump stations, pump station improvements, new storage facility, transmission pipeline improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seven hundred thousand dollars ($1,700,000.00);

(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 eight hundred fifty thousand dollars ($850,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred fifty thousand dollars ($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 II on July 1, 2000;

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

Source notes for subsection (d): (Laws 1997, ch. 45, § 4d.)

(e) Project - Gillette Rehabilitation Project:

(i) Project sponsor: City of Gillette;

(ii) Project purpose: Electrical improvements to Gillette's Madison well field municipal and domestic water supply;

(iii) Project description: Electrical distribution cable, transformers, grounding systems, surge arresters, switchgear, electrical controls and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred thousand dollars ($600,000.00);

(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 three hundred thousand dollars ($300,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred thousand dollars ($300,000.00) 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, 2000;

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

Source notes for subsection (e): (Laws 1997, ch. 45, § 4e.)

(f) Project-Gunbarrel Lateral Rehabilitation Project:

(i) Project sponsor: Platte County Resource District;

(ii) Project purpose: Rehabilitation of the Gunbarrel Lateral ditch;

(iii) Project description: Conversion of a large part of the open channel ditch into a buried pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thousand dollars ($500,000.00);

(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 approved by the commission an amount not to exceed two hundred fifty thousand dollars ($250,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred fifty thousand dollars ($250,000.00) 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, 2000;

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

Source notes for subsection (f): (Laws 1997, ch. 45, § 4f; 1998, ch. 38, § 11.)

(g) Project - Hill Irrigation District Project:

(i) Project sponsor: Hill Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Canal rehabilitation, flow measuring structure rehabilitation, turnout rehabilitation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thousand dollars ($100,000.00);

(v) Project loan: The state of Wyoming shall loan 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 fifty thousand hundred dollars ($50,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) 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 fifty thousand dollars ($50,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred thousand dollars ($100,000.00) 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, 2000.

Source notes for subsection (g): (Laws 1997, ch. 45, § 4g.)

(h) Project - Lance Creek Water Rehabilitation Project:

(i) Project sponsor: Lance Creek Water District;

(ii) Project purpose: Municipal and Domestic water supply;

(iii) Project description: Rehabilitation of existing wells, installation of backflow preventors to isolate stock watering tanks from the potable supply, construction of a disinfection system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred fifteen thousand dollars ($115,000.00);

(v) Project loan: The state of Wyoming shall loan 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 fifty-seven thousand five hundred dollars ($57,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 fifty-seven thousand five hundred dollars ($57,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred fifteen thousand dollars ($115,000.00) 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, 2000.

Source notes for subsection (h): (Laws 1997, ch. 45, § 4h.)

(j) Project - Spring Draw Ditch Rehabilitation Project:

(i) Project sponsor: Spring Draw Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Concrete ditch reclamation, pipeline installation, structures, meters, hydrants and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred fifty thousand dollars ($350,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred seventy-five thousand ($175,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent(4%);

(vi) 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 hundred seventy-five thousand dollars ($175,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred fifty thousand dollars ($350,000.00) 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, 2000.

Source notes for subsection (j): (Laws 1997, ch. 45, § 4j.)

(k) Project - Wheatland Irrigation District Laramie River Diversion improvements:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Diversion dam rehabilitation, headwall construction, installation of operators on tunnel gates, sluice gate rehabilitation, removal of old

concrete headgate structure, measuring device installation, replace operators on diversion dam, telemetry communication installation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifty-six thousand five hundred dollars ($456,500.00);

(v) Project loan: The state of Wyoming shall loan 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 twenty-eight thousand two hundred fifty dollars ($228,250.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vi) 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 twenty-eight thousand two hundred fifty dollars ($228,250.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred fifty-six thousand five hundred dollars ($456,500.00) 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, 2000.

Source notes for subsection (k): (Laws 1997, ch. 45, § 4k; 1999, ch. 16, § 4.)

(m) Project - Worland Water Supply Rehabilitation Project:

(i) Project sponsor: City of Worland District;

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

(iii) Project description: Rehabilitation and replacement of twenty-four (24) inch diameter transmission

pipeline that washed out December, 1996 and related appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Forty thousand dollars ($40,000.00);

(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 twenty thousand dollars ($20,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission twenty thousand dollars ($20,000.00) 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, 1998;

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

Source notes for subsection (m): (Laws 1997, ch. 45, § 4m.)

(n) Project - Wright Water Supply Project:

(i) Project sponsor: Wright Water and Sewer District;

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

(iii) Project description: Rehabilitation of existing wells, drop pipe rehabilitation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thousand dollars ($100,000.00);

(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 fifty thousand dollars ($50,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission fifty thousand dollars ($50,000.00) 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, 2000;

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

Source notes for subsection (n): (Laws 1997, ch. 45, § 4n.)

CHAPTER 3 - AUTHORIZATION FOR WATER DEVELOPMENT CONSTRUCTION PROJECTS

ARTICLE 1 - GENERAL PROVISIONS

99-3-101. Definitions.

(a) As used in this chapter:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district or joint powers board that will receive funding for one (1) or more of the projects identified in this chapter;

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii);

(v) "Water development account III" means the account created by W.S. 41-2-124(a)(iii). (Laws 1998, ch. 38, § 1; 2006, ch. 105, § 2.)

99-3-102. General authorization.

(a) The commission shall contract with each sponsor identified in this chapter for the design, construction and operation of the project in a manner consistent with this chapter and to administer the contract on behalf of the state of Wyoming.

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract. (Laws 1998, ch. 38, § 1.)

99-3-103. General conditions for Level III construction projects-new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this chapter shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) A sponsor shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsor;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as

described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I. (Laws 1998, ch. 38, § 1.)

99-3-104. General conditions for Level III construction projects; rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this chapter shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsor;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account II. (Laws 1998, ch. 38, § 1.)

99-3-105. Assignment of statute numbers.

(a) To facilitate the drafting and amendment of water project legislation, the legislative service office may assign statute numbers and headings to previously enacted session laws, provided:

(i) The statute numbers and headings are for reference and identification only and do not constitute any part of the substantive law and shall not alter the meaning of the previously enacted session laws;

(ii) In amending or repealing any session law assigned a number under this section, it is sufficient to identify the law by designating the assigned number without reference to the original chapter and section of the session law enactment, or amendment thereof;

(iii) A disposition table identifying the session laws renumbered under this section shall be maintained on file in the legislative service office;

(iv) Session laws numbered under this section need not be codified as part of the regularly published Wyoming statutes. (Laws 1998, ch. 38, § 1.)

99-3-106. General conditions for Level III construction projects-dams and reservoirs.

(a) Except as otherwise specifically provided, each Level III dam and reservoir construction project identified in this chapter shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(iv) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(v) A sponsor shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(vi) The commission shall make payments directly to the sponsor;

(vii) The sponsor shall be responsible for operation and maintenance of the project;

(viii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(ix) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(x) Principal and interest payments made in repayment of loans shall be deposited in water development account III;

(xi) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire

principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(xii) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xiii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (xi) and (xii) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(xiv) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account III. (Laws 2006, ch. 105, § 1.)

ARTICLE 2 - 1998 CONSTRUCTION PROJECTS

99-3-201. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 1998, ch. 38, § 2.)

99-3-202. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 1998, ch. 38, § 2.)

99-3-203. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 1998, ch. 38, § 2.)

(b) Project - Buffalo Valley Water Supply Project:

(i) Project sponsor: Buffalo Valley Water District;

(ii) Project purpose: Rural and domestic water supply;

(iii) Project description: A well, pipeline, storage facilities, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred seventy-five thousand dollars ($475,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred ninety thousand dollars ($190,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed two hundred eighty-five thousand dollars ($285,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred seventy-five thousand dollars ($475,000.00) 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, 2005;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of six thousand two hundred sixty-four dollars ($6,264.00) or forty percent (40%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (b): (Laws 1998, ch. 38, § 2; 2001, Ch. 2, § 2.)

(c) Project - Encampment Water Supply Project:

(i) Project sponsor: Town of Encampment;

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

(iii) Project description: A transmission pipeline, a raw water pipeline, fittings and valves to connect to the Sierra Madre Water and Sewer Joint Powers Board water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred twenty-eight thousand dollars ($228,000.00);

(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 construction of the project an amount not to exceed one hundred thirty-seven thousand dollars ($137,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred thirty-seven thousand dollars ($137,000.00) 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, 2001;

(vii) Special condition: The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (c): (Laws 1998, ch. 38, § 2.)

(d) Project - Evanston Raw Water Supply Project:

(i) Project sponsor: City of Evanston;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Raw water pipelines, well replumbing and rehabilitation, storage facilities, pump installation, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred thousand dollars ($1,500,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed six hundred thousand dollars ($600,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed nine hundred thousand dollars ($900,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I 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 I on July 1, 2002.

Source notes for subsection (d): (Laws 1998, ch. 38, § 2.)

(e) Project - Gillette Water Storage and Transmission Project:

(i) Project sponsor: City of Gillette;

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

(iii) Project description: Storage facilities, transmission pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million four hundred thousand dollars ($3,400,000.00);

(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 construction of the project an amount not to exceed two million forty thousand dollars ($2,040,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million forty thousand dollars ($2,040,000.00) 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, 2002;

(vii) Special condition: The sponsor is responsible for acquiring the remaining forty percent (40%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 1998, ch. 38, § 2.)

(f) Project - Greybull Shell Well No. 3 Water Supply Project:

(i) Project sponsor: Town of Greybull;

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

(iii) Project description: Wellhead piping, a well house, pump station, pipelines, storage facilities, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred seventeen thousand dollars ($517,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 six thousand eight hundred dollars ($206,800.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed three hundred ten thousand two hundred dollars ($310,200.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred seventeen thousand dollars ($517,000.00) 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, 2001;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of ninety-two thousand eight hundred dollars ($92,800.00) which is forty percent (40%) of the actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of thirty (30) years from the date

the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (f): (Laws 1998, ch. 38, § 2; 1999, ch. 16, § 5.)

(g) Project - Hartville Water Supply Project:

(i) Project sponsor: Town of Hartville;

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

(iii) Project description: Transfer of the well constructed during the Level II study to the town. Other project components described in the Level II study are being funded from other sources;

(iv) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of nineteen thousand twenty dollars ($19,020.00) which is forty percent (40%) of the actual construction costs. The sponsor shall purchase the well with a lump sum payment prior to transferring ownership of the well to the town.

Source notes for subsection (g): (Laws 1998, ch. 38, § 2.)

(h) Project - Manville Water Supply Project:

(i) Project sponsor: Town of Manville;

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

(iii) Project description: Pipelines, valves and pumps necessary to incorporate a new well constructed during the Level II study into the system and other miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred fifteen thousand dollars ($115,000.00);

(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 construction of the project an amount not to exceed sixty-nine thousand dollars ($69,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission sixty-nine thousand dollars ($69,000.00) 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, 2001;

(vii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a lump sum price of thirteen thousand sixty-five dollars ($13,065.00) which is forty percent (40%) of the actual construction costs. The purchase of the well shall occur prior to commencement of the project;

(B) The sponsor is responsible for acquiring the remaining forty percent (40%) of the total project budget from other sources.

Source notes for subsection (h): (Laws 1998, ch. 38, § 2.)

(j) Project - Meeteetse Water Supply Project:

(i) Project sponsor: Town of Meeteetse;

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

(iii) Project description: Raw water transmission pipeline, finished water transmission pipeline, diversion, pump station, fittings, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred fifty-five thousand dollars ($555,000.00);

(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 construction of the

project an amount not to exceed three hundred thirty-three thousand dollars ($333,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred thirty-three thousand dollars ($333,000.00) 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, 2002;

(vii) Special condition: The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (j): (Laws 1998, ch. 38, § 2.)

(k) Project - Thayne Water Supply Project:

(i) Project sponsor: Town of Thayne;

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

(iii) Project description: Well appurtenances, well transmission pipeline, spring transmission line, spring rehabilitation, storage facilities, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred fifty thousand dollars ($850,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred forty thousand dollars ($340,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the

project an amount not to exceed five hundred ten thousand dollars ($510,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission eight hundred fifty thousand dollars ($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 I on July 1, 2002;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for forty percent (40%) of the actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement must be completed prior to commencement of the project.

Source notes for subsection (k): (Laws 1998, ch. 38, § 2.)

(m) Project - Torrington Water Supply Project:

(i) Project sponsor: Town of Torrington;

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

(iii) Project description: Wells, transmission pipelines, booster pump station, well houses, telemetry, valves, fittings and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million one hundred five thousand dollars ($5,105,000.00);

(v) Project loan: The state of Wyoming may loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred twenty-nine thousand seven hundred eighty-three dollars ($329,783.00) or six and forty-six hundredths percent (6.46%) of the actual development costs, whichever is less, for a term of thirty (30)

years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed three million sixty-three thousand dollars ($3,063,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three million three hundred ninety-two thousand seven hundred eighty-three dollars ($3,392,783.00) 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, 2008;

(viii) Special condition: The sponsor is responsible for acquiring thirty-three and fifty-four hundredths percent (33.54%) of the total project budget from other sources.

Source notes for subsection (m): (Laws 1998, Ch. 38, § 2; 2002, Ch. 88, § 3; 2008, Ch. 75, § 2.)

99-3-204. 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.

Source notes for subsection (a): (Laws 1998, ch. 38, § 2.)

(b) Project - Lance Creek Transmission Pipeline and Storage Rehabilitation Project:

(i) Project sponsor: Lance Creek Water District;

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

(iii) Project description: Pipelines, valves, wells and other miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred twelve thousand dollars ($512,000.00);

(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 twelve thousand nine hundred dollars ($212,900.00) or forty-two percent (42%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred twelve thousand nine hundred dollars ($212,900.00) 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, 2002;

(vii) Special condition: The sponsor is responsible for acquiring fifty-eight percent (58%) of the total project budget from other sources.

Source notes for subsection (b): (Laws 1998, ch. 38, § 2.)

(c) Project - Laramie Diversion and Transmission Line Rehabilitation Project:

(i) Project sponsor: City of Laramie;

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

(iii) Project description: Rehabilitation of the Pioneer Canal Diversion facility, installation of water measuring devices, replacement of corroded twenty-four inch (24") diameter transmission line between the water treatment facilities and the City of Laramie, valves, fittings and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million nine hundred forty-five thousand dollars ($4,945,000.00);

(v) Project loan: The state of Wyoming shall loan 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 four hundred seventy-two thousand five hundred dollars ($2,472,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 four hundred seventy-two thousand five hundred dollars ($2,472,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission four million nine hundred forty-five thousand dollars ($4,945,000.00) 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, 2002.

Source notes for subsection (c): (Laws 1998, ch. 38, § 2.)

(d) Project - Horsecreek Conservation District Rehabilitation Project:

(i) Project sponsor: Horsecreek Conservation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacement of approximately two thousand six hundred feet (2600') of open ditch with thirty-six inch (36") diameter pipe, miscellaneous diameter pipe, turnouts, canal lining, measuring devices, regrading canal flow lines, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred ninety-three thousand two hundred dollars ($493,200.00);

(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 approved by the commission an amount not to

exceed two hundred forty-six thousand six hundred dollars ($246,600.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred forty-six thousand six hundred dollars ($246,600.00) 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, 2002;

(vii) Special conditions:

(A) The sponsor is responsible for hiring a professional engineering consultant, registered in Wyoming, to compile materials bid documents, to monitor construction activities and to provide construction management services;

(B) The sponsor is responsible for securing fifty percent (50%) of the project budget from other sources.

Source notes for subsection (d): (Laws 1998, ch. 38, § 2; 1999, ch. 16, § 6.)

(e) Project - Rawlins Transmission Line Rehabilitation Project:

(i) Project sponsor: City of Rawlins;

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

(iii) Project description: Replacement of a raw water transmission line extending from the Platte River near the vicinity of Sinclair, Wyoming to Rawlins, Wyoming, valves, fittings and construction of a new treated water transmission line to provide water to the town of Sinclair and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six million three hundred fifty thousand dollars ($6,350,000.00);

(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 three million eight hundred ten

thousand dollars ($3,810,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three million eight hundred ten thousand dollars ($3,810,000.00) 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, 2006;

(vii) Special condition: The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 1998, ch. 38, § 2; 2002, Ch. 88, § 4; 2003, Ch. 69, § 2.)

(f) Project - Rock River Transmission Pipeline Rehabilitation Project:

(i) Project sponsor: Town of Rock River;

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

(iii) Project description: Replace and upgrade approximately five (5) miles of transmission pipeline, enlarge the infiltration gallery and include appurtenances necessary to make the project function in the manner intended;

(iv) Total Project budget: One million three hundred forty thousand dollars ($1,340,000.00);

(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 six hundred seventy thousand dollars ($670,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred seventy thousand dollars ($670,000.00) 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, 2002;

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

Source notes for subsection (f): (Laws 1998, ch. 38, § 2.)

(g) Project - Wheatland Irrigation District Sand Lake and Canon Canal Rehabilitation Project:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Repair breach of the Sand Lake dam, armor the spillway, install a telemetry monitoring system at Sand Lake, repair the Dutton Creek Reservoir outlet pipe, replace Dutton Canal concrete lining, stabilize the canon canal slide area, install concrete lining in Canon canal along I-80, replace and install check and turnout structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred thirty-two thousand dollars ($632,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred sixteen thousand dollars ($316,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) 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 three hundred sixteen thousand dollars ($316,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission six hundred thirty-two

thousand dollars ($632,000.00) 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, 2006.

Source notes for subsection (g): (Laws 1998, ch. 38, § 2; 2002, Ch. 88, § 5.)

(h) Project - Worland Transmission Line Rehabilitation Project:

(i) Project sponsor: City of Worland;

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

(iii) Project description: Installation of a supervisory control and data acquisition system (SCADA), installation of automatic shutoff valves, stocking replacement ductile iron pipe transition collars, pipe joints and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred thousand dollars ($300,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred fifty thousand dollars ($150,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 hundred fifty thousand dollars ($150,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred thousand

dollars ($300,000.00) 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, 2001.

Source notes for subsection (h): (Laws 1998, ch. 38, § 2.)

ARTICLE 3 - 1999 CONSTRUCTION PROJECTS

99-3-301. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 1999, ch. 16, § 1.)

99-3-302. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 1999, ch. 16, § 1.)

99-3-303. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 1999, ch. 16, § 1.)

(b) Project - Aladdin Water Supply Project:

(i) Project sponsor: Wyoming Water Development Commission;

(ii) Project purpose: Municipal, domestic and to provide water to facilitate highway construction;

(iii) Project description: Authorization for the commission to sell water from a well constructed from water development program funds to the Aladdin Water District and to the Wyoming department of transportation;

(iv) Special Conditions:

(A) In the event the Wyoming department of transportation opts to not install a well pump, meter and related appurtenances needed to obtain water from the water development program well, the Aladdin Water District shall be

responsible for installation of the well pump, well house, metering components and appurtenances necessary for the Wyoming department of transportation to access the well and for the Aladdin Water District to convey water to its customers. Prior to installation, the components proposed for installation and the method of construction shall be approved by the commission;

(B) The Aladdin Water District shall be assessed a fee at a rate of one dollar and twenty cents ($1.20) per one thousand (1000) gallons and shall annually remit payment for water used to the commission by December 1 of each year. A five (5) year term water service contract with a five (5) year renewal option shall be negotiated between the commission and the Aladdin Water District. All expenditures necessary to pump, meter and deliver water to its customers shall be borne by the Aladdin Water District. Upon the expiration of the original water service contract, the Aladdin Water District shall be granted the option of renewing and renegotiating a subsequent water service contract. The Wyoming water development commission reserves the right to increase or decrease the rate charged per one thousand (1000) gallons at each renewal and renegotiation of the contract;

(C) The Wyoming department of transportation, at its discretion and upon notification of the Wyoming water development office, may obtain water for state or federally funded highway projects from the state owned well at a rate of fifty cents ($0.50) per one thousand (1000) gallons and shall annually remit payment for water used to the commission by December 1 of each year. Upon request for service, a five (5) year term water service contract with a five (5) year renewal option shall be negotiated between the commission and the Wyoming department of transportation. Upon the expiration of the original water service contract, the Wyoming department of transportation shall be granted the option of renewing and renegotiating a subsequent water service contract. The Wyoming water development commission reserves the right to increase or decrease the rate charged per one thousand (1000) gallons at each renewal and renegotiation of the contract;

(D) If the Aladdin Water District has not installed the necessary appurtenances to pump, meter and convey water from the well constructed with water development program funds, the Wyoming department of transportation, may at its discretion and expense, install pumping, metering and other facilities necessary to access the Wyoming water development program water supply. Prior to installation, the components

proposed to be installed and the method of construction shall be approved by the commission. The rate shall remain as specified in subparagraph (C) of this paragraph;

(E) The Aladdin Water District shall meter all water use and shall maintain water use records, documenting water used by the Aladdin Water District and water used by the Wyoming department of transportation. Meter readings and records are subject to audit by the commission.

Source notes for subsection (b): (Laws 1999, ch. 16, § 1.)

(c) Project - Centennial Water Supply Project:

(i) Project sponsor: Centennial Water and Sewer District;

(ii) Project purpose: Rural and domestic water supply;

(iii) Project description: Storage facilities, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred ten thousand dollars ($110,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed forty-four thousand dollars ($44,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed sixty-six thousand dollars ($66,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred ten thousand dollars ($110,000.00) 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, 2002.

Source notes for subsection (c): (Laws 1999, ch. 16, § 1.)

(d) Project - Chugwater Water Supply Project:

(i) Project sponsor: Town of Chugwater;

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

(iii) Project description: Storage facilities, transmission pipelines, valves, wells and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million thirteen thousand dollars ($2,013,000.00);

(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 construction of the project an amount not to exceed one million two hundred seven thousand eight hundred dollars ($1,207,800.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million two hundred seven thousand eight hundred dollars ($1,207,800.00) 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, 2010;

(vii) Special condition: The sponsor is responsible for acquiring the remaining forty percent (40%) of the total project budget from other sources;

(viii) Supplemental project budget: Two hundred thousand dollars ($200,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account I

through the commission an amount not to exceed one hundred thirty-four thousand dollars ($134,000.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, permit procurement, project land procurement, construction engineering and construction of the project;

(x) Supplemental appropriation: There is appropriated from water development account I to the commission an additional one hundred thirty-four thousand dollars ($134,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total one million three hundred forty-one thousand eight hundred dollars ($1,341,800.00), 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, 2010; and

(xi) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (d): (Laws 1999, ch. 16, § 1; 2003, Ch. 69, § 3; 2005, ch. 147, § 3; 2006, ch. 105, § 4.)

(e) Project - Douglas Water Supply Project:

(i) Project sponsor: City of Douglas;

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

(iii) Project description: Storage improvements, Sheep Mountain well transmission pipeline, Boxelder spring improvements, fittings, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million four hundred fifty thousand dollars ($3,450,000.00);

(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 construction of the project an amount not to exceed two million seventy thousand dollars ($2,070,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million seventy thousand dollars ($2,070,000.00) 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, 2005;

(vii) Special condition: The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 1999, ch. 16, § 1; 2003, Ch. 69, § 4.)

(f) Project - Jackson Raw Water Supply Project:

(i) Project sponsor: City of Jackson;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Three (3) alluvial wells, raw water pipelines, pump installation, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifty thousand dollars ($450,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred eighty thousand dollars ($180,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed two hundred seventy thousand dollars ($270,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred fifty thousand dollars ($450,000.00) 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, 2003.

Source notes for subsection (f): (Laws 1999, ch. 16, § 1.)

(g) Project - Laramie West Water Supply Project:

(i) Project sponsor: City of Laramie;

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

(iii) Project description: Transmission pipelines, storage facilities, valves and appurtenances necessary to make the project function in the manner intended;

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

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 eighty thousand dollars ($1,180,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one million seven hundred

seventy thousand dollars ($1,770,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two million nine hundred fifty thousand dollars ($2,950,000.00) 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, 2003.

Source notes for subsection (g): (Laws 1999, ch. 16, § 1.)

(h) Project - Little Snake River Small Dams and Reservoirs Project:

(i) Project sponsor: Little Snake River Conservation District;

(ii) Project purpose: Multi-purpose - agriculture, recreation;

(iii) Project description: Construction of small dams to impound water for livestock, wildlife and recreation use;

(iv) Total project budget: Two hundred sixty-five thousand dollars ($265,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred six thousand dollars ($106,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one hundred fifty-nine thousand dollars ($159,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred sixty-five thousand dollars ($265,000.00) 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, 2003;

(viii) Special conditions:

(A) The sponsor shall deposit cash or other securities valued at the full amount of the loan in an escrow account, as deemed appropriate by the attorney general, which names the commission as the beneficiary or recipient in the event of default on the loan. Interest earnings on cash or securities deposited in the escrow account shall remain with the sponsor;

(B) Construction of dams and reservoirs shall be limited to all or a portion of the twelve (12) projects identified and recommended for construction in the Little Snake River Basin Small Reservoir Development Project. The sponsor shall obtain the approval of the commission prior to the construction of any individual facility.

Source notes for subsection (h): (Laws 1999, ch. 16, § 1; 2001, Ch. 2, § 5.)

(j) Project - Sheridan Raw Water Supply Project:

(i) Project sponsor: City of Sheridan;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Infiltration gallery, flushing system, raw water transmission pipelines, pump station installation, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million three hundred twenty-six thousand seven hundred dollars ($1,326,700.00);

(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 construction of the project an amount not to exceed seven hundred ninety-six

thousand dollars ($796,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred ninety-six thousand dollars ($796,000.00) 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, 2003;

(vii) Special condition: The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (j): (Laws 1999, ch. 16, § 1; 2000, Ch. 96, § 2.)

(k) Project - Washakie Rural Water Supply Project:

(i) Project sponsor: Washakie Rural Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: The project consists of a rural potable water system extending from the Hot Springs County line on the south to the Big Horn County line on the north and encompasses most of the private lands along both banks of the Big Horn River. The project also includes construction of the water transmission and distribution system and appurtenances necessary to provide potable water service to the McNutt Improvement and Service District. Project components include transmission pipelines, storage facilities, booster pumps, valves, telemetry and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Sixteen million eight hundred ten thousand five hundred dollars ($16,810,500.00);

(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 construction of the project an amount not to exceed eleven million two hundred sixty-three thousand dollars ($11,263,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission eleven million two hundred sixty-three thousand dollars ($11,263,000.00) 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, 2009;

(vii) Special conditions:

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

(B) Water users in the McNutt Improvement and Service District and water users in the sponsor's service area shall be assessed the same rate for similar types of water use. The sponsor is responsible for all water system related operational and maintenance activities of the Washakie Rural Improvement and Service District and the McNutt Improvement and Service District.

Source notes for subsection (k): (Laws 1999, ch. 16, § 1; 2001, Ch. 2, § 6; 2003, Ch. 69, § 5; 2004, Ch. 118, § 2; 2006, ch. 105, § 6; 2009, Ch. 38, § 2.)

(m) Project - Westside/Rock Springs Water Supply Project:

(i) Project sponsor: City of Green River, City of Rock Springs Sweetwater County, State of Wyoming Joint Powers Water Board;

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

(iii) Project description: Transmission pipelines, telemetry, valves, fittings and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifty thousand dollars ($450,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred eighty thousand

dollars ($180,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed two hundred seventy thousand dollars ($270,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred fifty thousand dollars ($450,000.00) 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, 2003.

Source notes for subsection (m): (Laws 1999, ch. 16, § 1.)

99-3-304. 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.

Source notes for subsection (a): (Laws 1999, ch. 16, § 1.)

(b) Project - Downer Neighborhood Water Supply Rehabilitation Project:

(i) Project sponsor: Downer Neighborhood Improvement and Service District;

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

(iii) Project description: Pipelines, valves, wells and other miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million nine hundred ninety-nine thousand five hundred dollars ($2,999,500.00);

(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 ninety-eight thousand one hundred dollars ($1,198,100.00) or fifty percent (50%) of the eligible actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million one hundred ninety-eight thousand one hundred dollars ($1,198,100.00) 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, 2003;

(vii) Special condition: The sponsor is responsible for securing the balance of project funding from other sources.

Source notes for subsection (b): (Laws 1999, ch. 16, § 1; 2001, Ch. 2, § 3.)

(c) Project - Kirby Irrigation District Rehabilitation Project:

(i) Project sponsor: Kirby Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacement of a wasteway at Kirby Creek, replacement of the Black Willow Creek crossing and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Sixty thousand dollars ($60,000.00);

(v) Project loan: The state of Wyoming shall loan 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 thirty thousand dollars ($30,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from

the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of pipe, fittings and related materials not to exceed thirty thousand dollars ($30,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission sixty thousand dollars ($60,000.00) 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, 2003;

(viii) Special condition: The sponsor is responsible for acquiring a professional engineer registered in Wyoming, to compile a list of materials and bid documents, to monitor construction activities and to provide construction management services.

Source notes for subsection (c): (Laws 1999, ch. 16, § 1.)

(d) Project - Lander Intake Facilities Rehabilitation Project:

(i) Project sponsor: City of Lander;

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

(iii) Project description: Improvements to the existing diversion facilities, including construction and installation of a sedimentation control facility, river intake control system 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 the 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, 2003;

(vii) Special condition: The sponsor is responsible for securing fifty percent (50%) of project funding from other sources.

Source notes for subsection (d): (Laws 1999, ch. 16, § 1.)

(e) Project - Lingle Water Supply System Rehabilitation Project:

(i) Project sponsor: Town of Lingle;

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

(iii) Project description: Installation of transmission pipeline, removing the 1928 vintage storage tank from service 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 loan: The state of Wyoming shall loan 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 the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred thousand dollars ($400,000.00) 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, 2003.

Source notes for subsection (e): (Laws 1999, ch. 16, § 1.)

(f) Project - Westside/Rock Springs Transmission Line Rehabilitation Project:

(i) Project sponsor: City of Green River, Wyoming; City of Rock Springs, Wyoming; Sweetwater County, State of Wyoming; Joint Powers Water Board;

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

(iii) Project description: Rehabilitation of existing transmission pipelines between Green River and Rock Springs near the intersection of Interstate 80 and U.S. Highway 191 and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred twenty-five thousand dollars ($625,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred twelve thousand five hundred dollars ($312,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 three hundred twelve thousand five hundred dollars ($312,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission six hundred twenty-five thousand dollars ($625,000.00) 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, 2003.

Source notes for subsection (f): (Laws 1999, ch. 16, § 1.)

ARTICLE 4 - 2000 CONSTRUCTION PROJECTS

99-3-401. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2000, Ch. 96, § 1.)

99-3-402. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2000, Ch. 96, § 1.)

99-3-403. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2000, Ch. 96, § 1.)

(b) Project – Antelope Valley Water Supply Project:

(i) Project sponsor: Antelope Valley Improvement and Service District;

(ii) Project purpose: Rural and domestic water supply;

(iii) Project description: A well, pipeline, storage facilities, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred seventy thousand dollars ($170,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed sixty-eight thousand dollars ($68,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one hundred two thousand dollars ($102,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred seventy thousand dollars ($170,000.00) 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, 2004;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of forty-three thousand one hundred twenty-nine dollars and sixty cents ($43,129.60) or forty percent (40%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement shall be completed prior to commencement of the project.

Source notes for subsection (b): (Laws 2000, Ch. 96, § 1.)

(c) Project – Bairoil Water Supply Project:

(i) Project sponsor: Town of Bairoil;

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

(iii) Project description: A well, pipeline, storage facilities, valves, the deepening of an existing raw water well and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred thousand dollars ($800,000.00);

(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 construction of the project an amount not to exceed four hundred eighty thousand dollars ($480,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eighty thousand dollars ($480,000.00) 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, 2008;

(vii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of forty-four thousand dollars ($44,000.00) or forty percent (40%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement shall be completed prior to commencement of the project;

(B) The sponsor is responsible for acquiring forty percent (40%) of the total project budget from other sources.

Source notes for subsection (c): (Laws 2000, Ch. 96, § 1; 2004, Ch. 118, § 3.)

(d) Project - Casper Effluent Water Supply Project:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Wastewater effluent irrigation supply for an athletic complex in north Casper;

(iii) Project description: An effluent irrigation system for the North Casper Athletic Complex and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred thousand dollars ($600,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two hundred forty thousand dollars ($240,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred sixty thousand dollars ($360,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred thousand dollars ($600,000.00) 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, 2004.

Source notes for subsection (d): (Laws 2000, Ch. 96, § 1.)

(e) Project - Cheyenne Supply Pipeline Project:

(i) Project sponsor: City of Cheyenne;

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

(iii) Project description: Transmission pipeline, control and outlet works improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Fourteen million dollars ($14,000,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five million six hundred thousand dollars ($5,600,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed eight million four hundred thousand dollars ($8,400,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission fourteen million dollars ($14,000,000.00) 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 I on July 1, 2007.

Source notes for subsection (e): (Laws 2000, Ch. 96, § 1; 2003, Ch. 69, § 6; 2005, ch. 147, § 5.)

(f) Project - Gillette Hidden Valley Storage and Transmission Project:

(i) Project sponsor: City of Gillette;

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

(iii) Project description: Storage facilities, transmission pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million two hundred fifty thousand dollars ($2,250,000.00);

(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 construction of the project an amount not to exceed one million three hundred fifty thousand dollars ($1,350,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million three hundred fifty thousand dollars ($1,350,000.00) 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, 2004;

(vii) Special condition: The sponsor is responsible for acquiring the remaining forty percent (40%) of the total project budget from other sources.

Source notes for subsection (f): (Laws 2000, Ch. 96, § 1.)

(g) Project – Glenrock Groundwater Supply Project:

(i) Project sponsor: Town of Glenrock;

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

(iii) Project description: A well, pipeline, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million eight hundred twenty-two thousand dollars ($1,822,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 eight hundred dollars ($728,800.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one million ninety-three thousand two hundred dollars ($1,093,200.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million eight hundred twenty-two thousand dollars ($1,822,000.00) 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, 2004;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of sixty-six thousand eight hundred dollars ($66,800.00) or forty percent (40%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement shall be completed prior to commencement of the project.

Source notes for subsection (g): (Laws 2000, Ch. 96, § 1; 2002, Ch. 88, § 6.)

(h) Project - Greybull Crossing and Tank Project:

(i) Project sponsor: City of Greybull;

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

(iii) Project description: River crossing, transmission pipeline, storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million eight hundred fifty thousand dollars ($1,850,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 forty thousand dollars ($740,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one million one hundred ten thousand dollars ($1,110,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million eight hundred fifty thousand dollars ($1,850,000.00) 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 I on July 1, 2004.

Source notes for subsection (h): (Laws 2000, Ch. 96, § 1.)

(j) Project - Lakeview Water Supply Project:

(i) Project sponsor: Lakeview Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred ninety thousand dollars ($390,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the

commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred fifty-six thousand dollars ($156,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed two hundred thirty-four thousand dollars ($234,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred ninety thousand dollars ($390,000.00) 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, 2004.

Source notes for subsection (j): (Laws 2000, Ch. 96, § 1.)

(k) Project - Newcastle Water Supply Project:

(i) Project sponsor: Town of Newcastle;

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

(iii) Project description: A storage tank, pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million two hundred thousand dollars ($2,200,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eight hundred eighty thousand dollars ($880,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30)

years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one million three hundred twenty thousand dollars ($1,320,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission two million two hundred thousand dollars ($2,200,000.00) 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 I on July 1, 2006.

Source notes for subsection (k): (Laws 2000, Ch. 96, § 1; 2004, Ch. 118, § 4.)

(m) Project – Ninemile Water Supply Project:

(i) Project sponsor: Ninemile Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: A pipeline, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred twenty thousand dollars ($920,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred sixty-eight thousand dollars ($368,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed five hundred fifty-two thousand dollars ($552,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission nine hundred twenty thousand dollars ($920,000.00) 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, 2004.

Source notes for subsection (m): (Laws 2000, Ch. 96, § 1.)

(n) Project – Pine Bluffs Supply Project:

(i) Project sponsor: Town of Pine Bluffs;

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

(iii) Project description: Pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred forty-five thousand dollars ($1,245,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred ninety-eight thousand dollars ($498,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed seven hundred forty-seven

thousand dollars ($747,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one million two hundred forty-five thousand dollars ($1,245,000.00) 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, 2004.

Source notes for subsection (n): (Laws 2000, Ch. 96, § 1.)

(o) Project – Salt Creek Water Supply Project:

(i) Project sponsor: Salt Creek Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Pipeline, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred ninety thousand dollars ($690,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 seventy-six thousand dollars ($276,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed four hundred fourteen thousand dollars ($414,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred ninety thousand dollars ($690,000.00) 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, 2004;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of one hundred twenty-five thousand eight hundred dollars ($125,800.00) or forty percent (40%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement shall be completed prior to commencement of the project.

Source notes for subsection (o): (Laws 2000, Ch. 96, § 1.)

(p) Project – Sheridan Big Goose Water Supply Project:

(i) Project sponsor: City of Sheridan;

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

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

(iv) Total project budget: Four million one hundred ninety-eight thousand eight hundred nineteen dollars ($4,198,819.00);

(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 construction of the project an amount not to exceed two million two hundred ninety-one thousand dollars ($2,291,000.00) or fifty-four and fifty-six hundredths percent (54.56%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million two hundred ninety-one thousand dollars ($2,291,000.00) 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, 2005;

(vii) Special condition: The sponsor is responsible for acquiring the remaining forty-five and forty-four hundredths percent (45.44%) of the total project budget from other sources.

Source notes for subsection (p): (Laws 2000, Ch. 96, § 1; 2002, Ch. 88, § 7; 2003 Ch. 69, § 7.)

(q) Project - Sundance Tank:

(i) Project sponsor – Town of Sundance;

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

(iii) Project description: A storage tank, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred twenty-five thousand dollars ($325,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred thirty thousand dollars ($130,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of the project an amount not to exceed one hundred ninety-five thousand dollars ($195,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred twenty-five thousand dollars ($325,000.00) 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, 2004.

Source notes for subsection (q): (Laws 2000, Ch. 96, § 1.)

(r) Project – Thirty-three Mile Water Supply Project:

(i) Project sponsor: Thirty-three Mile Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Pipelines, valves and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seven hundred forty thousand eight hundred ten dollars ($1,740,810.00);

(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 construction of the project an amount not to exceed one million forty-four thousand four hundred eighty-six dollars ($1,044,486.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million forty-four thousand four hundred eighty-six dollars ($1,044,486.00) 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, 2004;

(vii) Special condition: The sponsor is responsible for acquiring the remaining forty percent (40%) of the total project budget from other sources.

Source notes for subsection (r): (Laws 2000, Ch. 96, § 1.)

99-3-404. 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.

Source notes for subsection (a): (Laws 2000, Ch. 96, § 1.)

(b) Project - Afton Water Supply Rehabilitation Project:

(i) Project sponsor: Town of Afton;

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

(iii) Project description: Rehabilitation of existing transmission pipeline and water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifty thousand dollars ($450,000.00);

(v) Project loan: The state of Wyoming shall loan 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 twenty-five thousand dollars ($225,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 twenty-five thousand dollars ($225,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred fifty thousand dollars ($450,000.00) 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, 2004.

Source notes for subsection (b): (Laws 2000, Ch. 96, § 1.)

(c) Project - Crestview Water Supply Rehabilitation Project:

(i) Project sponsor: Crestview Estates Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Rehabilitation of existing well, connection to Antelope Valley water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eighty-two thousand dollars ($82,000.00);

(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 forty-one thousand dollars ($41,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission forty-one thousand dollars ($41,000.00) 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, 2004;

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

Source notes for subsection (c): (Laws 2000, Ch. 96, § 1.)

(d) Project - Goshen Irrigation District Water System Rehabilitation Project:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Rehabilitation of an irrigation delivery system;

(iii) Project description: Rehabilitation of the canal and lateral delivery system including slide gates, implementation of seepage control measures, automation of the delivery system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million four hundred fifty-two thousand dollars ($4,452,000.00);

(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 approved by the commission an amount not to exceed two million two hundred twenty-six thousand dollars ($2,226,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million two hundred twenty-six thousand dollars ($2,226,000.00) 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, 2010;

(vii) Special conditions: The sponsor is responsible for all costs related to project design, permit procurement, land procurement, construction engineering and construction of the project.

Source notes for subsection (d): (Laws 2000, Ch. 96, § 1; 2004, Ch. 118, § 5.)

(e) Project - Highline Ditch Rehabilitation:

(i) Project sponsor: Highline Watershed Improvement District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Rehabilitation of aging conveyance infrastructure including canals or irrigation ditches, measuring devices and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven Hundred twenty-six thousand dollars ($726,000.00);

(v) Project loan: The state of Wyoming shall loan 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 three hundred sixty-three

thousand dollars ($363,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) 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 three hundred sixty-three thousand dollars ($363,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission seven hundred twenty-six thousand dollars ($726,000.00) 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, 2004.

Source notes for subsection (e): (Laws 2000, Ch. 96, § 1.)

(f) Project - Lander Water Supply Rehabilitation Project:

(i) Project sponsor: City of Lander;

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

(iii) Project description: Replacement of an existing raw water transmission pipeline, incorporation of a Level II groundwater test well into the potable water system, a pressure reducing station, air relief stations, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million ninety-six thousand dollars ($2,096,000.00);

(v) Project loan: The state of Wyoming shall loan 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 forty-eight thousand dollars ($1,048,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits

accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 forty-eight thousand dollars ($1,048,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two million ninety-six thousand dollars ($2,096,000.00) 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, 2004;

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price of ten thousand two hundred dollars ($10,200.00) or forty percent (40%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments based on forty percent (40%) of the actual construction costs for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of seven and one-quarter percent (7.25%). In either event, a purchase agreement shall be completed prior to commencement of the project.

Source notes for subsection (f): (Laws 2000, Ch. 96, § 1; 2001, Ch. 2, § 7.)

(g) Project - Rolling Hills Well Rehabilitation Project:

(i) Project sponsor: Town of Rolling Hills;

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

(iii) Project description: Rehabilitation of the town's well, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred twenty-five thousand dollars ($225,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred twelve thousand five hundred dollars ($112,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 hundred twelve-thousand five hundred dollars ($112,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred twenty-five thousand dollars ($225,000.00) 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, 2004.

Source notes for subsection (g): (Laws 2000, Ch. 96, § 1.)

(h) Project – Fayette Irrigation Ditch Rehabilitation:

(i) Project sponsor: Fayette Irrigation District;

(ii) Project purpose: Irrigation water supply;

(iii) Project description: Rehabilitation of an aging conveyance infrastructure including headgates, drop structures, diversions, canals and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seventy-five thousand dollars ($75,000.00);

(v) Project loan: The state of Wyoming shall loan 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 thirty-seven thousand five

hundred dollars ($37,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) Appropriation: There is appropriated from the water development account II to the commission seventy-five thousand dollars ($75,000.00) 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, 2010;

(vii) 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 thirty-seven thousand five hundred dollars ($37,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(viii) Supplemental project budget: One hundred sixty thousand dollars ($160,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed one hundred seven thousand two hundred dollars ($107,200.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(x) Supplemental project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission an amount not to exceed fifty-two thousand eight hundred dollars ($52,800.00) or thirty-three percent (33%) of the additional funds needed to complete the project, whichever is less for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%). Supplemental loan funds may be used for design, permit procurement, project land procurement, construction engineering and construction of the project;

(xi) Supplemental appropriation: There is appropriated from water development account II to the commission

an additional one hundred sixty thousand dollars ($160,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total two hundred thirty-five thousand dollars ($235,000.00), 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, 2010; and

(xii) Special supplemental condition: The supplemental appropriation is based upon a different grant and loan ratio than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (h): (Laws 2000, Ch. 96, § 1; 2002, Ch. 88, § 8; 2006, ch. 105, § 9.)

99-3-405. Coalbed methane study.

(a) The select water committee is directed to study and recommend a bill to the 2001 legislature addressing the following issues:

(i) Water well mitigation resulting from coal bed methane gas well operations. The committee should use as a starting point for its deliberations the agreement currently being used by many landowners, coal bed methane operations and the bureau of land management in resolving disputes between landowners and well operators. This agreement provides resolution for those well owners within one-half (1/2) mile of a coal bed methane well. Under this agreement, funding for issues relating to wells within this circle of influence are borne by the operator;

(ii) Setting up a mitigation process to be followed by parties who bring issues caused by coal bed methane development outside of the circle of influence;

(iii) Problems to be investigated should include, but not be limited to:

(A) Discharged water as a result of the coal bed methane well;

(B) Determinations as to which party was responsible for an impaired water well;

(C) Determinations as to whether a water well was impaired; and

(D) Determinations as to the effects of a coal bed methane well.

(iv) Ensuring that any water well must be properly permitted with the state engineer's office. Any proposed legislation:

(A) Should not limit the right of any party to resolve disputes in district court;

(B) Should consider requiring arbitration of disputes;

(C) Should consider potential determinations by water well owners who suffer impairments; and

(D) Should consider which parties should bear the costs of restoring water to its previous levels. (Laws 2000, Ch. 96, § 3.)

99-3-406. Water conservation study.

Seventy-five thousand dollars ($75,000.00) is appropriated from water development account I to the water development office to fund a water conservation study. These funds may also be used to match federal funding available for the same purpose. (Laws 2000, Ch. 96, § 3.)

ARTICLE 5 - 2001 CONSTRUCTION PROJECTS
[AUTHORIZATION FOR 2001 CONSTRUCTION PROJECTS]

99-3-501. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2001, Ch. 2, § 1.)

99-3-502. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2001, Ch. 2, § 1.)

99-3-503. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2001, Ch. 2, § 1.)

(b) Project - Oakley Water Supply Project:

(i) Project sponsor: Oakley Improvement and Service District;

(ii) Project purpose: Rural and domestic water supply;

(iii) Project description: A water supply pipeline valves, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred fifty-two thousand dollars ($352,000.00);

(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 construction of the project an amount not to exceed one hundred seventy-six thousand dollars ($176,000.00) 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 one hundred seventy-six thousand dollars ($176,000.00) 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, 2005; and

(vii) Special conditions:

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

(B) The project is expressly contingent on formation of the Oakley Improvement and Service District and

approval of a project financing plan by an election held pursuant to the Improvement and Service District Act, W.S. 18-12-101 through 18-12-140, and the Special Districts Elections Act of 1994, W.S. 22-29-101 through 22-29-408.

Source notes for subsection (b): (Laws 2001, Ch. 2, § 1.)

(c) Project – Wheatland Water Supply Rehabilitation Project:

(i) Project sponsor: Town of Wheatland;

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

(iii) Project description: Construction of a new well, installation of new storage facilities and piping to connect the improvements to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred fifty-four thousand dollars ($854,000.00);

(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 construction of the project an amount not to exceed two hundred twenty-two thousand dollars ($222,000.00) or twenty-six percent (26%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred twenty-two thousand dollars ($222,000.00) 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, 2005; and

(vii) Special condition: The sponsor is responsible for acquiring seventy-four percent (74%) of the total project budget from other sources.

Source notes for subsection (a): (Laws 2001, Ch. 2, § 1.)

99-3-504. 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.

Source notes for subsection (a): (Laws 2001, Ch. 2, § 1.)

(b) Project – Baggs Water Supply Rehabilitation Project:

(i) Project sponsor: Town of Baggs;

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

(iii) Project description: Diversion and intake facilities and other miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred forty thousand dollars ($240,000.00);

(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 hundred twenty thousand dollars ($120,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred twenty thousand dollars ($120,000.00) 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, 2005; and

(vii) Special conditions:

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

(B) The sponsor may be reimbursed for project expenditures, which occurred prior to April 1, 2003.

Source notes for subsection (b): (Laws 2001, Ch. 2, § 1; 2003, Ch. 69, § 8.)

(c) Project – Bridger Valley Intake Structure Rehabilitation Project:

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

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

(iii) Project description: Rehabilitation of the intake and raw water diversion facility, construction of a water storage tank, and transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million ten thousand dollars ($1,010,000.00);

(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 five hundred five thousand dollars ($505,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred five thousand dollars ($505,000.00) 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, 2005; and

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

Source notes for subsection (c): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 9.)

(d) Project – Cheyenne South Crow Dam Water Supply Rehabilitation Project:

(i) Project sponsor: City of Cheyenne;

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

(iii) Project description: Final design services, plans and specifications, for rehabilitating the South Crow Dam, for adding a supervisory control and data acquisition control system, for pipelines needed to connect to the city's treatment and conveyance system, rehabilitation of the dam, installation of the pipeline, installation of telemetry, construction of a valve house and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred thousand dollars ($1,500,000.00);

(v) Repealed by Laws 2002, Ch. 88, §16.

(vi) Project Grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the final design, plans and specifications for the project, construction engineering, project land procurement, permit procurement, and construction of the project an amount not to exceed seven hundred fifty thousand dollars ($750,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission seven hundred fifty thousand dollars ($750,000.00) 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, 2007;

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

Source notes for subsection (d): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 10.)

(e) Project – Dayton Water Supply Rehabilitation Project:

(i) Project sponsor: Town of Dayton;

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

(iii) Project description: Replacement of an existing transite pipeline, installation of a new booster station,

installation of pipeline to an existing booster station and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million thirty-two thousand dollars ($1,032,000.00);

(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 six hundred nineteen thousand two hundred dollars ($619,200.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred nineteen thousand two hundred dollars ($619,200.00) 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, 2005; and

(vii) Special condition: The sponsor is responsible for securing forty percent (40%) of the project budget from other sources.

Source notes for subsection (e): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 11.)

(f) Project – Encampment Raw Water Line Rehabilitation Project:

(i) Project sponsor: Town of Encampment;

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

(iii) Project description: Final design services, plans and specifications, for the replacement of the remaining nonpiped portion of the raw water conveyance system extending from the North Fork of the Encampment River to the town's water system, installation of the pipeline and for appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred thousand dollars ($800,000.00);

(v) Repealed By Laws 2002, Ch. 88, § 16.

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the final design, plans, and specifications, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred thousand dollars ($400,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred thousand dollars ($400,000.00) 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, 2006;

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

Source notes for subsection (f): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 12.)

(g) Project – Gillette Central Pressure Zone Isolation Rehabilitation Project:

(i) Project sponsor: City of Gillette;

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

(iii) Project description: Final design services, plans and specifications, for improving fire flows, meeting Safe Drinking Water Act minimum pressure and disinfection requirements, installation of transmission lines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred nineteen thousand dollars ($1,519,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the final design, plans and specifications, project land procurement, construction engineering and construction of the project an amount not to exceed seven

hundred fifty-nine thousand five hundred dollars ($759,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred fifty-nine thousand five hundred dollars ($759,500.00) 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, 2006; and

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

Source notes for subsection (g): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 13.)

(h) Project – Hugus-Mullison Ditch Rehabilitation Project:

(i) Project sponsor: Hugus Watershed Improvement District;

(ii) Project purpose: Irrigation, seepage and flood control;

(iii) Project description: Canal lining, replacement of culverts at street crossings to increase the capacity of the ditch and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred fifty thousand dollars ($650,000.00);

(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 three hundred twenty-five thousand dollars ($325,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred twenty-five thousand dollars ($325,000.00) 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, 2005; and

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

Source notes for subsection (h): (Laws 2001, Ch. 2, § 1.)

(j) Project – Laramie North Side Water Supply Rehabilitation Project:

(i) Project sponsor: City of Laramie;

(ii) Project purpose: Municipal;

(iii) Project description: Permit procurement, right-of-way acquisition, final design services, plans and specifications required to rehabilitate an existing twenty (20) inch diameter pipeline, to add additional storage facilities in east Laramie, to connect the east side storage to the Laramie water system, the rehabilitation of a twenty (20) inch and twenty-four (24) inch diameter transmission pipeline, the replacement of a portion of the twenty (20) inch diameter line, cathodic protection and for appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million one hundred ninety-five thousand dollars ($4,195,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for permit procurement, right-of-way acquisition, final design, plans and specifications, construction engineering and construction of the project an amount not to exceed two million ninety-seven thousand five hundred dollars ($2,097,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for permit procurement, right-of-way acquisition, final design, plans and specifications, construction engineering and construction of the project an amount not to exceed two

million ninety-seven thousand five hundred dollars ($2,097,500.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission four million one hundred ninety five thousand dollars ($4,195,000.00) 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, 2007.

Source notes for subsection (j): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 14.)

(k) Project – Pine Haven Pipeline Rehabilitation Project:

(i) Project sponsor: Town of Pine Haven;

(ii) Project purpose: Municipal;

(iii) Project description: The project includes installation of pipelines to connect the town's existing well directly to the storage system, to tie the storage system to the distribution system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred thirty-five thousand dollars ($235,000.00);

(v) Project loan: The state of Wyoming shall loan 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 hundred seventeen thousand five hundred dollars ($117,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 hundred seventeen thousand five hundred dollars ($117,500.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred thirty-five thousand dollars ($235,000.00) 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, 2005.

Source notes for subsection (k): (Laws 2001, Ch. 2, § 1.)

(m) Project – Powell Water Supply Rehabilitation Project:

(i) Project sponsor: City of Powell;

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

(iii) Project description: Right-of-way acquisition, final design services, including permitting services and providing plans and specifications, for replacing an old water storage tank, for recoating an existing water tank, for providing miscellaneous piping and pressure reducing valves to create additional pressure zones to comply with the Safe Drinking Water Act's minimum pressure requirements, construction of a new storage tank, valves, pressure reducing valves and for appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred twenty-six thousand dollars ($2,326,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the right-of-way acquisition, final design, plans and specifications, construction engineering and construction of the project an amount not to exceed one million one hundred sixty-three thousand dollars ($1,163,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million one hundred sixty-three thousand dollars ($1,163,000.00) 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, 2008; and

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

Source notes for subsection (m): (Laws 2001, Ch. 2, § 1; 2002, Ch. 88, § 15; 2003, Ch. 69, § 9; 2004, Ch. 118, § 6.)

(n) Project – Riverton Raw Water Supply Rehabilitation Project:

(i) Project sponsor: City of Riverton;

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

(iii) Project description: Project construction, including final design services, plans and specifications, for rehabilitating a raw water conveyance system which serves the Riverton Valley Irrigation District, the LeClair Irrigation District, and the City of Riverton and for appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million one hundred seventy-three thousand dollars ($2,173,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the final design, plans and specifications for the project, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million eighty-six thousand five hundred dollars ($1,086,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million eighty-six thousand five hundred dollars ($1,086,500.00) 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, 2009;

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

Source notes for subsection (n): (Laws 2001, Ch. 2, § 1; 2004, Ch. 118, § 7; 2009, Ch. 38, § 2.)

(o) Project – Sheridan Raw Water Supply Rehabilitation Project:

(i) Project sponsor: City of Sheridan;

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

(iii) Project description: Final design services, plans and specifications, for rehabilitating a raw water conveyance system which serves the city golf course and for appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thousand dollars ($100,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the final design, plans and specifications for the project an amount not to exceed fifty thousand dollars ($50,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission fifty thousand dollars ($50,000.00) 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, 2005; and

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

Source notes for subsection (o): (Laws 2001, Ch. 2, § 1.)

(p) Project – Wamsutter Water Supply Rehabilitation Project:

(i) Project sponsor: Town of Wamsutter;

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

(iii) Project description: The project includes refinancing of an existing state land and investment board emergency loan that funded the replacement of an old three (3) inch diameter transmission line, funding of the replacement of another existing transmission pipeline from the water supply well to town and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred eighty thousand dollars ($280,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for refinancing the state land and investment board emergency loan for replacing an existing three (3) inch diameter pipeline, and for the design, permit procurement, project land procurement, construction engineering, and construction of a new rehabilitation project an amount not to exceed one hundred forty thousand dollars ($140,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred forty thousand dollars ($140,000.00) 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, 2005; and

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

Source notes for subsection (p): (Laws 2001, Ch. 2, § 1.)

ARTICLE 6 - GREEN RIVER/WIND RIVER PROJECTS

99-3-601. Definitions.

(a) As used in this article:

(i) "Commission" means the Wyoming water development commission;

(ii) "Projects" means dam and storage projects, spillways, outlet works and appurtenances as described in the Level III construction projects new development in W.S. 99-3-604;

(iii) "Water development account" means the account created by W.S. 41-2-124. (Laws 2001, Ch. 100, § 1.)

99-3-602. Project components.

(a) The Green River/Wind River projects consist of the following components:

(i) Dams;

(ii) Emergency spillways;

(iii) Outlet works consisting of principal spillways and operating spillways;

(iv) Dam access roads;

(v) Embankment instrumentation;

(vi) Remote sensing and control features;

(vii) Gauging stations;

(viii) Power supply facilities;

(ix) Utility and road relocations as necessary to construct and implement the projects;

(x) Boat ramps, parking areas for the boat ramp areas and access roads to the boat ramps;

(xi) Conveyance facilities;

(xii) Appurtenances necessary to make the project complete and function in the manner intended. (Laws 2001, Ch. 100, § 1.)

99-3-603. Authorization.

(a) The commission may expend funds appropriated in project specific legislation that is approved by the legislature, to perform the following:

(i) Prepare environmental impact statements or assessments, as required;

(ii) Perform final designs;

(iii) Prepare plans and specifications;

(iv) Obtain options, land exchange or purchase agreements for the necessary projects' lands and easements;

(v) Procure the 404 permits from the United States Army Corps of Engineers, the 401 permits from the Wyoming department of environmental quality and the permit to construct from the Wyoming state engineer's office;

(vi) Perform other incidental work required to prepare the projects for construction.

(b) Upon enactment of project specific legislation that is approved by the legislature, the commission may negotiate project sponsorship and water sales contracts with entities formed pursuant to Wyoming law that demonstrate a need for water and desire to participate in the projects.

(c) Upon enactment of project specific legislation that is approved by the legislature, the commission may either purchase necessary project lands and easements and construct and operate the projects in a manner consistent with this article or develop a project agreement with a sponsor in a manner consistent with the terms and conditions outlined in the agreements established under Level III construction projects new development in W.S. 99-3-604. (Laws 2001, Ch. 100, § 1.)

99-3-604. Repealed by Laws 2005, ch. 163, § 2.

ARTICLE 7 - 2002 CONSTRUCTION PROJECTS

99-3-701. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2002, Ch. 88, § 1.)

99-3-702. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2002, Ch. 88, § 1.)

99-3-703. Level III construction projects-new development.

(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.

Source notes for subsection (a): (Laws 2002, Ch. 88, § 1.)

(b) Project – Alpine Raw Water Project:

(i) Project sponsor: Town of Alpine;

(ii) Project purpose: Engineering design and specifications for a raw water supply system;

(iii) Project description: Final engineering design and specifications, review of water rights, legal expenses for acquiring rights-of-way and permit procurement for a raw water supply system for the Town of Alpine and design of appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Fifty-five thousand six hundred dollars ($55,600.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design and specifications, review of water rights, permit procurement, legal expenses to cover costs of exhibits and documents necessary to acquire rights-of-way of the project an amount not to exceed thirteen thousand nine hundred dollars ($13,900.00) or twenty-five percent (25%) of the actual development costs, whichever is less, for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design and specifications, review of water rights, permit procurement, legal expenses to cover costs of exhibits and documents necessary to acquire rights-of-way of the project an amount not to exceed twenty-seven thousand eight hundred dollars ($27,800.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission forty-one thousand seven hundred dollars ($41,700.00) 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, 2006; and

(viii) Special condition: The sponsor is responsible for acquiring twenty-five percent (25%) of the total project budget from other sources.

Source notes for subsection (b): (Laws 2002, Ch. 88, § 1.)

(c) Big Horn Regional Joint Powers Board Pipeline Project:

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

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

(iii) Project description: Engineering design, construction engineering, permit procurement, land procurement, construction of a regional pipeline to connect the Worland well field to other systems in the Big Horn Basin, a river crossing and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Thirty-five million five hundred eighty thousand dollars ($35,580,000.00);

(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 construction of the project an amount not to exceed twenty-three million eight hundred thirty-eight thousand six hundred dollars ($23,838,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission twenty-three million eight hundred thirty-eight thousand six hundred dollars ($23,838,600.00) 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, 2014;

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

Source notes for subsection (c): (Laws 2002, Ch. 88, § 1; 2004, Ch. 118, § 8; 2007, Ch. 121, § 2; 2012, Ch. 14, § 2.)

(d) Project – Casper Zone II Water Supply Project:

(i) Project sponsor: City of Casper;

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

(iii) Project description: Construction of a new water transmission pipeline and storage facilities to service growth in the eastern area of Casper and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million one hundred eighty-eight thousand dollars ($3,188,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, land acquisition and related legal expenses, and construction of the project an amount not to exceed one million five hundred ninety-four thousand dollars ($1,594,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement, and construction of the project an amount not to exceed one million five hundred ninety-four thousand dollars ($1,594,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission three million one hundred eighty-eight thousand dollars ($3,188,000.00) 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, 2007.

Source notes for subsection (d): (Laws 2002, Ch. 88, § 1.)

(e) Project – Laramie East Side Tank Project:

(i) Project sponsor: City of Laramie;

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

(iii) Project description: Construction of a new water transmission pipeline and storage facilities to service growth in the eastern area of Laramie and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine million five hundred sixty thousand dollars ($9,560,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed four million seven hundred eighty thousand dollars ($4,780,000.00) 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 four million seven hundred eighty thousand dollars ($4,780,000.00) 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, 2008;

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

Source notes for subsection (e): (Laws 2002, Ch. 88, § 1; 2003, Ch. 69, § 10; 2007, Ch. 121, § 2.)

(f) Project - Little Snake River Small Dams and Reservoirs Phase II Project:

(i) Project sponsor: Little Snake River Conservation District;

(ii) Project purpose: Multi-purpose - agriculture, recreation;

(iii) Project description: Construction of small dams to impound water for livestock, wildlife and recreation use;

(iv) Total project budget: Four hundred sixty-five thousand dollars ($465,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred eighty-six thousand dollars ($186,000.00) or forty percent (40%) of the actual development costs, whichever is less, for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) 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 construction of the project an amount not to exceed two hundred seventy-nine thousand dollars ($279,000.00) or sixty percent (60%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred sixty-five thousand dollars ($465,000.00) 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, 2013;

(viii) Special conditions:

(A) The sponsor shall deposit cash or other securities valued at the full amount of the loan in an escrow account, as deemed appropriate by the attorney general, which names the commission as the beneficiary or recipient in the event of default on the loan. Interest earnings on cash or securities deposited in the escrow account shall remain with the sponsor;

(B) Construction of dams and reservoirs shall be limited to all or a portion of the twelve (12) projects identified and recommended for construction in the Little Snake River Basin Small Reservoir Development Project. The sponsor

shall obtain the approval of the commission prior to the construction of any individual facility; and

(C) The sponsor shall be responsible for obtaining all permits and clearances necessary for construction of the project.

(ix) Supplemental project budget: Three hundred eighty-seven thousand dollars ($387,000.00);

(x) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission an amount not to exceed two hundred fifty-nine thousand two hundred ninety dollars ($259,290.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(xi) Supplemental project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission an amount not to exceed one hundred twenty-seven thousand seven hundred ten dollars ($127,710.00) or thirty-three percent (33%) of the additional funds needed to complete the project, whichever is less for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%). Supplemental loan funds may be used for design, construction engineering and construction of the project;

(xii) Supplemental appropriation: There is appropriated from water development account I to the commission an additional three hundred eighty-seven thousand dollars ($387,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total eight hundred fifty- two thousand dollars ($852,000.00), 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, 2013; and

(xiii) Special supplemental conditions:

(A) The supplemental appropriation is based upon a different grant and loan ratio than the original appropriation. The original funding described in paragraphs

(iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures;

(B) The sponsor shall deposit cash or other securities valued at the full amount of the supplemental loan in an escrow account, as deemed appropriate by the attorney general, which names the commission as the beneficiary or recipient in the event of default on the loan. Interest earnings on cash or securities deposited in the escrow account shall remain with the sponsor; and

(C) Supplemental funding shall be limited to the twelve (12) projects identified and recommended for construction in the Little Snake River Basin Small Reservoir Development Project, the Doty Mountain Five Project, Coal Gulch Dam Project and the Grieve Reservoir Project. The sponsor shall obtain the approval of the commission prior to the construction of any individual facility.

Source notes for subsection (f): (Laws 2002, Ch. 88, § 1; 2006, Ch. 105, § 5; 2008, Ch. 75, § 2; 2010, ch. 68, § 2.)

(g) Project – Pinedale Intake Project:

(i) Project sponsor: Town of Pinedale;

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

(iii) Project description: Redesign and construction of the town's intake located at Fremont Lake to address icing conditions due to drought related lowering of the lake which caused ice to encase the intake pipeline and lift the submerged section of the pipeline when the lake level rose in the spring and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred ninety-three thousand dollars ($193,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed ninety-six thousand five hundred dollars ($96,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of ten (10)

years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) 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 construction of a the project an amount not to exceed ninety-six thousand five hundred dollars ($96,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred ninety-three thousand dollars ($193,000.00) 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, 2006.

Source notes for subsection (g): (Laws 2002, Ch. 88, § 1.)

(h) Project – Sinclair Water Supply Project:

(i) Project sponsor: Town of Sinclair;

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

(iii) Project description: Design and construction of a pipeline and storage tank to integrate with a larger project that is needed to address an Environmental Protection Agency administrative order issued to the Town of Sinclair to comply with the Safe Drinking Water Act and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million three hundred forty-five thousand dollars ($1,345,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed six hundred seventy-two thousand five hundred dollars ($672,500.00) 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 six hundred seventy-two thousand five hundred dollars ($672,500.00) 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 I on July 1, 2007;

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

Source notes for subsection (h): (Laws 2002, Ch. 88, § 1.)

(j) Project - Small Water Development Projects:

(i) Project sponsors: Eligible public entities;

(ii) Project purpose: Multi-purpose - agriculture, recreation, environmental;

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

(iv) Total project budget: Four million five hundred thousand dollars ($4,500,000.00);

(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 of the project an amount not to exceed two million two hundred fifty thousand dollars ($2,250,000.00) 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 two million two hundred fifty thousand dollars ($2,250,000.00) or as much thereof as is necessary to carry out the purpose of this subsection;

(vii) Definition: "Small project" means a project where estimated construction costs, permit procurement, construction engineering and project land procurement are one hundred thousand dollars ($100,000.00) or less, and where the maximum financial contribution from the commission is twenty-five thousand dollars ($25,000.00) or less;

(viii) Special conditions:

(A) Repealed By Laws 2004, Ch. 118, § 12.

(B) The commission shall establish eligibility criteria and administration procedures for development of small projects;

(C) The commission may grant a sponsor fifty percent (50%) of the construction cost of a project with a maximum grant awarded limited to twenty-five thousand dollars ($25,000.00);

(D) The project sponsors must substantiate the public benefit that will be derived from proposed projects;

(E) The commission may make monthly progress payments for no more than fifty percent (50%) of eligible monthly project expenses;

(F) An appropriate land management or resource management entity must certify that the proposed project will meet expectations and that appropriate engineering standards, as approved by the commission, will be adhered to;

(G) The establishment of criteria and administrative procedures for the development of small projects under this subsection and decisions of the commission relating to the recommendations, prioritization or disqualification of small projects are specifically exempt from the provisions of the Wyoming Administrative Procedure Act including judicial review under W.S. 16-3-114 and 16-3-115.

(ix) No new project shall be authorized under this subsection on or after July 1, 2014;

(x) As of July 1, 2017, all remaining funds in this appropriation shall revert to water development account I.

Source notes for subsection (j): (Laws 2002, Ch. 88, § 1; 2003, Ch. 69, § 11; 2004, Ch. 118, § 10 and 12; 2005, ch. 147, § 6; 2006, ch. 105, § 5; 2007, Ch. 121, § 3; 2010, ch. 68, § 2, 2012, Ch. 14, § 2, 2015, Ch. 23, § 2.)

(k) Project – Torrington Raw Water Project:

(i) Project sponsor: City of Torrington;

(ii) Project purpose: Raw water irrigation supply;

(iii) Project description: Drilling and construction of three (3) groundwater wells to irrigate greenways to assist the city with complying with an administrative order issued by the Environmental Protection Agency regarding compliance with the Safe Drinking Water Act and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred ninety-two thousand dollars ($192,000.00);

(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 construction of the project an amount not to exceed ninety-six thousand dollars ($96,000.00) 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 ninety-six thousand dollars ($96,000.00) 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, 2007; and

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

Source notes for subsection (k): (Laws 2002, Ch. 88, § 1.)

(m) Project – Wright Well and Pipeline Project:

(i) Project sponsor: Wright Water and Sewer District;

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

(iii) Project description: Design and construction of a new groundwater well and pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred thousand dollars ($600,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred thousand dollars ($300,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred thousand dollars ($300,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) There is appropriated from water development account I to the commission six hundred thousand dollars ($600,000.00) 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, 2007;

(viii) Special condition: Funding is contingent upon the sponsor complying, to the satisfaction and approval of the commission, with the restrictions specified in an agreement between the sponsor and the commission dated September 10, 1987 relating to the sale of water for uses other than for municipal or domestic purposes.

Source notes for subsection (m): (Laws 2002, Ch. 88, § 1.)

99-3-704. 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.

Source notes for subsection (a): (Laws 2002, Ch. 88, § 1.)

(b) Project – Lingle Water Supply Phase II:

(i) Project sponsor: Town of Lingle;

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

(iii) Project description: Design and construction of a transmission pipeline and storage facility needed to replace aged, inadequate infrastructure and miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred eleven thousand dollars ($711,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred fifty-five thousand five hundred dollars ($355,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of seven and one-quarter percent (7.25%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred fifty-five thousand five hundred dollars ($355,500.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission seven hundred eleven thousand dollars ($711,000.00) 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, 2007.

Source notes for subsection (b): (Laws 2002, Ch. 88, § 1.)

(c) Project – Riverton Valley Phase II Project:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacing open ditches with piped laterals, miscellaneous structures and other appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred seventy thousand dollars ($670,000.00);

(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 approved by the commission an amount not to exceed three hundred thirty-five thousand dollars ($335,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred thirty-five thousand dollars ($335,000.00) 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, 2007; and

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

Source notes for subsection (c): (Laws 2002, Ch. 88, § 1.)

(d) Project – Shoshone Drop Structures Project:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacing and rehabilitating drop structures in the Garland Canal and other miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred forty thousand dollars ($1,140,000.00);

(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 approved by the commission an amount not to exceed five hundred seventy thousand dollars ($570,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred seventy thousand dollars ($570,000.00) 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, 2007; and

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

Source notes for subsection (d): (Laws 2002, Ch. 88, § 1.)

(e) Project – Sidon Bitter Creek Crossing Rehabilitation Project:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Rehabilitation of the Bitter Creek crossing structure to assure the delivery of the water supply to district members and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred seventeen thousand dollars ($217,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred eight thousand five hundred dollars ($108,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred eight thousand five hundred dollars ($108,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred seventeen thousand dollars ($217,000.00) 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, 2007.

Source notes for subsection (e): (Laws 2002, Ch. 88, § 1.)

(f) Project – Sleepy Hollow Tank Rehabilitation Project:

(i) Project sponsor: Central Campbell County Improvement and Service District;

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

(iii) Project description: To stabilize tank settlement and modify pipeline connections, and to rehabilitate the Sleepy Hollow tank control house and miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thousand dollars ($100,000.00);

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

(vi) Appropriation: There is appropriated from water development account II to the commission fifty thousand dollars ($50,000.00) 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, 2007; and

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

Source notes for subsection (f): (Laws 2002, Ch. 88, § 1.)

(g) Project - Small Water Development Projects:

(i) Project sponsors: Eligible public entities;

(ii) Project purpose: Multi-purpose - agriculture, recreation, environmental;

(iii) Project description: Rehabilitation and replacement of small dams, windmills, spring rehabilitation, pipeline rehabilitation, etc., to impound, develop and convey water for livestock, wildlife, environmental and recreational purposes;

(iv) Total project budget: Three million one hundred thousand dollars ($3,100,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors 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 fifty thousand dollars ($1,550,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million five hundred fifty thousand dollars ($1,550,000.00) or as much thereof as is necessary to carry out the purpose of this subsection;

(vii) Definition: "Small project" means a project where estimated rehabilitation costs, permit procurement, and project land procurement are one hundred thousand dollars ($100,000.00) or less, and where the maximum financial contribution from the commission is twenty-five thousand dollars ($25,000.00) or less;

(viii) Special conditions:

(A) Repealed By Laws 2004, Ch. 118, § 12.

(B) The commission shall establish eligibility criteria and administration procedures for development of small projects;

(C) The commission may grant a sponsor fifty percent (50%) of the construction cost of a project with a maximum grant awarded limited to twenty-five thousand dollars ($25,000.00);

(D) The project sponsors must substantiate the public benefit that will be derived from proposed projects;

(E) The commission may make monthly progress payments for no more than fifty percent (50%) of eligible monthly project expenses;

(F) An appropriate land management or resource management entity must certify that the proposed project will meet expectations and that appropriate engineering standards, as approved by the commission, will be adhered to;

(G) The establishment of criteria and administrative procedures for the development of small projects under this subsection and decisions of the commission relating to the recommendations, prioritization or disqualification of small projects are specifically exempt from the provisions of the Wyoming Administrative Procedure Act including judicial review under W.S. 16-3-114 and 16-3-115.

(ix) No new project shall be authorized under this subsection on or after July 1, 2014;

(x) As of July 1, 2017, all remaining funds in this appropriation shall revert to water development account II.

Source notes for subsection (g): (Laws 2002, Ch. 88, § 1; 2003, Ch. 69, § 11; 2004, Ch. 118, § 11 and 12; 2005, ch. 147, § 7; 2006, ch. 105, § 7; 2007, Ch. 121, § 3; 2010, ch. 68, § 2, 2012, Ch. 14, §2, 2015, Ch. 23, § 2.)

(h) Project – Upton Water Tank Replacement Project:

(i) Project sponsor: Town of Upton;

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

(iii) Project description: Replacement of a failing water storage tank, pipeline and miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred seventeen thousand six hundred dollars ($317,600.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the final design, plans and specifications for the project an amount not to exceed one hundred fifty-eight thousand eight hundred dollars ($158,800.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred fifty-eight thousand eight hundred dollars ($158,800.00) 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, 2006;

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

Source notes for subsection (h): (Laws 2002, Ch. 88, § 1.)

ARTICLE 8 - 2003 CONSTRUCTION PROJECTS

99-3-801. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2003, Ch. 69, § 1.)

99-3-802. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2003, Ch. 69, § 1.)

99-3-803. Level III construction projects - new development.

(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.

Source notes for subsection (a): (Laws 2003, Ch. 69, § 1.)

(b) Project – Basin Gardens Water Project:

(i) Project sponsor: South Big Horn County Water Supply Joint Powers Board;

(ii) Project purpose: Rural Domestic water supply;

(iii) Project description: Design and construction of a new water transmission system to provide drinking water to Big Horn County residents east of the Big Horn River and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred thirty-five thousand dollars ($835,000.00);

(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 construction of the project an amount not to exceed five hundred fifty-nine thousand four hundred fifty dollars ($559,450.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred fifty-nine thousand four hundred fifty dollars ($559,450.00) 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, 2008; and

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

Source notes for subsection (b): (Laws 2003, Ch. 69, § 1.)

(c) Buffalo Water Storage Tank Project:

(i) Project sponsor: City of Buffalo;

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

(iii) Project description: Construction of water storage facilities, pressure reducing stations, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million four hundred five thousand dollars ($5,405,000.00);

(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 construction of the project an amount not to exceed two million seven hundred two thousand five hundred dollars ($2,702,500.00) 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 two million seven hundred two thousand five hundred dollars ($2,702,500.00) 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 I on July 1, 2008;

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

(viii) Supplemental project budget: Eight hundred sixty-one thousand dollars ($861,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission an amount not to exceed five hundred seventy-six thousand eight hundred seventy dollars ($576,870.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(x) Supplemental appropriation: There is appropriated from water development account I to the commission an additional five hundred seventy-six thousand eight hundred seventy dollars ($576,870.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total three million two hundred seventy-nine thousand three hundred seventy dollars ($3,279,370.00), 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, 2008; and

(xi) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (c): (Laws 2003, Ch. 69, § 1; 2005, ch. 147, § 4; 2006, ch. 105, § 8; 2008, Ch. 75, § 2.)

(d) Project – Cheyenne Raw Water Supply Number II Project:

(i) Project sponsor: City of Cheyenne;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Construction of a new raw water transmission pipeline to irrigate parks and greenways east of the Cheyenne municipal airport and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million dollars ($5,000,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, land procurement, and construction of the project an amount not to exceed two million five hundred thousand dollars ($2,500,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

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

project an amount not to exceed two million five hundred thousand dollars ($2,500,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account I to the commission five million dollars ($5,000,000.00) 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 I on July 1, 2008.

Source notes for subsection (d): (Laws 2003, Ch. 69, § 1.)

(e) Project – Moorcroft Madison Well Water Supply Project:

(i) Project sponsor: Town of Moorcroft;

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

(iii) Project description: Connection of the new Madison formation well and the transfer of title of the new well to the town and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million seven hundred seventy thousand dollars ($5,770,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed three million eight hundred sixty-five thousand nine hundred dollars ($3,865,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million eight hundred sixty-five thousand nine hundred dollars ($3,865,900.00) 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, 2013; and

(vii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price of not to exceed one hundred twenty-nine thousand thirty-one dollars and forty cents ($129,031.40) or forty percent (40%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an annual interest rate of six percent (6%). In either event, the well purchase agreement shall be completed prior to commencement of the project; and

(B) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

Source notes for subsection (e):(Laws 2003, Ch. 69, § 1; 2008, Ch. 75, § 2; 2011, Ch. 63, § 2.)

(f) Project – North Uinta/Bear River Water Supply Project:

(i) Project sponsor: Town of Bear River;

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

(iii) Project description: Construction of new storage facilities, pipelines to connect the new well and the new storage facilities to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred eighty thousand dollars ($580,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred ninety thousand dollars ($290,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) 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 construction of the project an amount not to exceed two hundred ninety thousand dollars ($290,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account I to the commission five hundred eighty thousand dollars ($580,000.00) 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, 2008; and

(viii) Special conditions:

(A) The water storage facilities shall be downsized to service the town of Bear River and the immediate area in the event that the regional water system concept is not approved by the city of Evanston;

(B) The sponsor shall purchase the well completed during the Level II study for a price of not to exceed thirty-four thousand eight hundred sixty-six dollars and twenty-eight cents ($34,866.28) or fifty percent (50%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an annual interest rate of six percent (6%). In either event, the well purchase agreement shall be completed prior to commencement of the project.

Source notes for subsection (f): (Laws 2003, Ch. 69, § 1.)

(g) Project – Northwest Rural Water Storage Project:

(i) Project sponsor: Northwest Rural Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of pipelines and storage facilities to meet new growth in the area and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred twenty thousand dollars ($1,120,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed five hundred sixty thousand dollars ($560,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) 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 construction of the project an amount not to exceed five hundred sixty thousand dollars ($560,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account I to the commission one million one hundred twenty thousand dollars ($1,120,000.00) 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, 2008.

Source notes for subsection (g): (Laws 2003, Ch. 69, § 1.)

(h) Project – Pine Haven Madison Well Project:

(i) Project sponsors: The Town of Pine Haven;

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

(iii) Project description: Connection of the new Madison formation well and the transfer of title of the new well to the town and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred thirty thousand dollars ($230,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred fifteen thousand dollars ($115,000.00) 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 one hundred fifteen thousand dollars ($115,000.00) 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, 2008; and

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed one hundred forty-four thousand eight hundred forty-seven dollars and forty-five cents ($144,847.45) or fifty percent (50%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an annual interest rate of six percent (6%). In either event, the well purchase agreement shall be completed prior to commencement of the project.

Source notes for subsection (h): (Laws 2003, Ch. 69, § 1.)

(j) Project – Pursel Acres Water Project:

(i) Project sponsor: Pursel Lands Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Construction of a new water transmission pipeline system to provide drinking water to Natrona County residents near Casper and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred eighty-two thousand dollars ($682,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred forty-one thousand dollars ($341,000.00) 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 three hundred forty-one thousand dollars ($341,000.00) 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, 2008; and

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

Source notes for subsection (j): (Laws 2003, Ch. 69, § 1.)

(k) Project – Story Well Acquisition Project:

(i) Project sponsor: Story Fire District;

(ii) Project purpose: Rural fire suppression water supply;

(iii) Project description: Transfer of title to the new groundwater well drilled during the Level II groundwater exploration program and appurtenances necessary to make the project function in the manner intended; and

(iv) Special condition: The sponsor shall purchase the well completed during the Level II study for a price not to exceed nine thousand eight hundred eighteen dollars ($9,818.00) or fifty percent (50%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an annual interest rate of six percent (6%).

Source notes for subsection (k): (Laws 2003, Ch. 69, § 1.)

(m) Project – Wheatland Black Mountain Water Supply Project:

(i) Project sponsor: Town of Wheatland;

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

(iii) Project description: Construction of new water storage facilities and a groundwater well, pipelines to connect the new facilities to the existing system and appurtenances necessary to make the project function in the manner intended; and

(iv) Total project budget: Two hundred thousand dollars ($200,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred thousand dollars ($100,000.00) 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 one hundred thousand dollars ($100,000.00) 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, 2008; and

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

Source notes for subsection (m): (Laws 2003, Ch. 69, § 1.)

(n) Project – Coates Road Water Supply Project:

(i) Project sponsor: Coates Road Improvement and Service District;

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

(iii) Project description: Construction of a new water transmission pipeline system to provide drinking water to Natrona County residents near Casper along the foothills of Casper Mountain and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred fifty thousand dollars ($550,000.00);

(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 construction of the project an amount not to exceed two hundred seventy-five thousand dollars ($275,000.00) 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 two hundred seventy-five thousand dollars ($275,000.00) 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, 2008; and

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

Source notes for subsection (n): (Laws 2003, Ch. 69, § 1.)

99-3-804. 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.

Source notes for subsection (a): (Laws 2003, Ch. 69, § 1.)

(b) Project – Basin Raw Water Supply Project:

(i) Project sponsor: Town of Basin;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Rehabilitation and expansion of existing facilities to provide a more certain raw water supply and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred four thousand dollars ($404,000.00);

(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 two thousand dollars ($202,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred two thousand dollars ($202,000.00) 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, 2008; and

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

Source notes for subsection (b): (Laws 2003, Ch. 69, § 1.)

(c) Project – Big Piney Water Supply Project:

(i) Project sponsor: Town of Big Piney;

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

(iii) Project description: Construction of a new storage tank, transmission pipeline to connect the town of Big Piney's and the town of Marbleton's water systems together and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million twenty-five thousand dollars ($1,025,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed five hundred twelve thousand five hundred dollars ($512,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred twelve thousand five hundred dollars ($512,500.00) 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, 2008; and

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

Source notes for subsection (c): (Laws 2003, Ch. 69, § 1; 2005, ch. 147, § 8.)

(d) Project – Byron Raw Water Supply:

(i) Project sponsor: Town of Byron;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Design and construction of needed improvements to the sponsor's existing raw water irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred fifty thousand dollars ($2,350,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design and construction engineering of the project an amount not to exceed four hundred thirty-five thousand dollars ($435,000.00) or one hundred percent (100%) of the actual engineering costs, as described in subparagraph (d)(viii)(B), whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of four percent (4%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for purchase of project materials as supported by

vendor invoices and approved by the commission an amount not to exceed one million one hundred twenty-six thousand dollars ($1,126,000.00) or one hundred percent (100%) of the approved material costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission one million five hundred sixty-one thousand dollars ($1,561,000.00) 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, 2010; and

(viii) Special conditions:

(A) The sponsor is responsible for acquiring the balance of the total project budget from other sources;

(B) The loan provided in paragraph (v) of this subsection includes one hundred seventy thousand two hundred thirteen dollars and ninety cents ($170,213.90) to reimburse the commission for funds provided to the sponsor prior to December 31, 2007. With the remaining balance of the loan, the sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents, and monitor construction activities including the installation of project components and the tracking of project expenditures;

(iv) "Account" means the Gillette Madison pipeline account into which all funds appropriated by this section shall be deposited. Funds in the account shall be reserved for the project. All unexpended funds appropriated by this section shall be transferred to the account.

Source notes for subsection (a): (Laws 2009, Ch. 103, § 1; 2011, Ch. 61 § 1.)

Source notes for subsection (a): (Laws 2009, Ch. 103, § 1;.)

(e) Project – Casper Alcova Tunnel Rehabilitation Project:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Rehabilitation of tunnels that are part of the sponsor's water delivery system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred seventy thousand dollars ($170,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-five thousand dollars ($85,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-five thousand dollars ($85,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred seventy thousand dollars ($170,000.00) 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, 2008.

Source notes for subsection (e): (Laws 2003, Ch. 69, § 1.)

(f) Project – Deaver Flume Rehabilitation Project:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacing and rehabilitating the Marchant Coulee Flume and the Deaver Flume and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred twenty thousand dollars ($420,000.00);

(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 approved by the commission an amount not to exceed two hundred ten thousand dollars ($210,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred ten thousand dollars ($210,000.00) 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, 2008; and

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

Source notes for subsection (f): (Laws 2003, Ch. 69, § 1; 2005, ch. 147, § 9.)

(g) Project – Greybull Highway 14 Crossing Project:

(i) Project sponsor: Town of Greybull;

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

(iii) Project description: Relocation of the sponsor's water supply pipelines that conflict with the planned reconstruction of U.S. Highway 14 as requested by the Wyoming department of transportation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred forty thousand dollars ($240,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred twenty thousand dollars ($120,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty-five

(25) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred twenty thousand dollars ($120,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred forty thousand dollars ($240,000.00) 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, 2008.

Source notes for subsection (g): (Laws 2003, Ch. 69, § 1.)

(h) Project - Hanover Flume Rehabilitation Project:

(i) Project sponsor: Hanover Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Recoating or relining the Hanover Flume across the Big Horn River and miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eighty-seven thousand dollars ($87,000.00);

(v) Funding option I:

(A) Project loan: The state of Wyoming may loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed forty-three thousand five hundred dollars ($43,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term as approved by the commission which shall range from ten (10) to thirty (30) years, depending upon the estimated service life of the selected rehabilitation measure, from the date the

commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(B) Project grant: The state of Wyoming may grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed forty-three thousand five hundred dollars ($43,500.00) or fifty percent (50%) of the actual development costs, whichever is less.

(vi) Funding option II:

(A) That state of Wyoming may grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed forty-three thousand five hundred dollars ($43,500.00) or one hundred percent (100%) of the cost of the materials, whichever is less;

(B) The sponsor shall be responsible for acquiring fifty percent (50%) of the total project budget from other sources.

(vii) Appropriation: There is appropriated from water development account II to the commission eighty-seven thousand dollars ($87,000.00) 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, 2008; and

(viii) Special conditions:

(A) The sponsor shall be responsible for securing construction review services of a registered engineer; and

(B) The sponsor shall be responsible for identifying which funding option is preferred before construction commences.

Source notes for subsection (h): (Laws 2003, Ch. 69, § 1.)

(j) Project – Highline Canal Rehabilitation Project:

(i) Project sponsor: Shell Valley Watershed Improvement District;

(ii) Project purpose: Multi-purpose - agriculture, rural domestic;

(iii) Project description: Replacing the existing diversion structure, replacing open ditches with piped ditches, installation of new delivery structures and appurtenances for the project to function in the manner intended;

(iv) Total project budget: One million one hundred seventy-six thousand dollars ($1,176,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the development costs paid through December 1, 2007, an amount not to exceed sixty-one thousand dollars ($61,000.00) or one hundred percent (100%) of the actual development costs paid through December 1, 2007, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) 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 approved by the commission an amount not to exceed seven hundred forty-seven thousand fifty dollars ($747,050.00) or one hundred percent (100%) of the approved material costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission eight hundred eight thousand fifty dollars ($808,050.00) 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, 2014; and

(viii) 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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile

materials bidding documents, and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (j): (Laws 2003, Ch. 69, § 1; 2008, Ch. 75, § 2; 2012, Ch. 14, § 2.)

(k) Project – Jon's Drop/Four Mile Flume Rehabilitation Project:

(i) Project sponsor: Savery-Little Snake Water Conservancy District;

(ii) Project purpose: Irrigation;

(iii) Project description: Rehabilitation of the Jon's Drop and the Four Mile Flume and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred forty-two thousand dollars ($142,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed seventy-one thousand dollars ($71,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed seventy-one thousand dollars ($71,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred forty-two thousand dollars ($142,000.00) 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, 2008.

Source notes for subsection (k): (Laws 2003, Ch. 69, § 1.)

(m) Project – LeClair Laterals Rehabilitation Project:

(i) Project sponsor: LeClair Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacing open ditches with piped systems, rehabilitating miscellaneous structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total Project budget: One million one hundred thirty thousand dollars ($1,130,000.00);

(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 approved by the commission an amount not to exceed five hundred sixty-five thousand dollars ($565,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred sixty-five thousand dollars ($565,000.00) 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, 2012; and

(vii) Special conditions:

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

(B) The sponsor is responsible for retaining design and construction management services of a certified professional engineer.

Source notes for subsection (m): (Laws 2003, Ch. 69, § 1; 2009, Ch. 38, § 2.)

(n) Project - North Alpine Rehabilitation Project:

(i) Project sponsor: North Alpine Improvement and Service District;

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

(iii) Project description: Construction of a new well, storage tank, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred fourteen thousand dollars ($514,000.00);

(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 fifty-seven thousand dollars ($257,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred fifty-seven thousand dollars ($257,000.00) 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, 2008; and

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

Source notes for subsection (n): (Laws 2003, Ch. 69, § 1.)

(o) Project – Pine Bluffs Brule Formation Water Project:

(i) Project sponsor: Town of Pine Bluffs;

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

(iii) Project description: Construction of new pipeline to connect the wells drilled during the groundwater study program and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fifty thousand dollars ($250,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred twenty-five thousand dollars ($125,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred twenty-five thousand dollars ($125,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred fifty thousand dollars ($250,000.00) 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, 2008.

Source notes for subsection (o): (Laws 2003, Ch. 69, § 1.)

(p) Project – Rafter J Rehabilitation Project:

(i) Project sponsor: Rafter J Improvement and Service District;

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

(iii) Project description: Rehabilitation of the existing system, drilling another water supply well, construction of storage, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred three thousand dollars ($1,103,000.00);

(v) Repealed By Laws 2005, ch. 147, § 13.

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed five hundred fifty-one thousand five hundred dollars ($551,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vii) Appropriation: There is appropriated from water development account II to the commission five hundred fifty-one thousand five hundred dollars ($551,500.00) 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, 2010;

(viii) Special condition: The sponsor is responsible for acquiring fifty percent (50%) of the balance of the total project budget from other sources;

(ix) Supplemental project budget: Six hundred fifty thousand dollars ($650,000.00);

(x) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed four hundred thirty-five thousand five hundred dollars ($435,500.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(xi) Supplemental appropriation: There is appropriated from water development account II to the commission an additional six hundred thousand five hundred dollars ($600,500.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total one million one hundred fifty-two thousand dollars ($1,152,000.00), 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, 2012; and

(xii) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

(xiii) Supplemental project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission an amount not to exceed one hundred sixty-five thousand dollars ($165,000.00) or thirty-three percent (33%) of the additional funds needed to complete the project, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an annual rate of four percent (4%). Supplemental loan funds may be used for design, construction engineering and construction of the project.

Source notes for subsection (p): (Laws 2003, Ch. 69, § 1; 2005, ch. 147, § 10 and 13; 2006, ch. 105, § 13; 2007, Ch. 121, § 2.)

(q) Project – Riverton Valley Underflow Project:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Replacing and rehabilitating four (4) underflow structures to improve their flood and return flow handling capability and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: One hundred forty thousand dollars ($140,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed seventy thousand dollars ($70,000.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of twenty-five (25) years

from the date the commission determines project benefits accrue to the sponsor, at an annual interest rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed seventy thousand dollars ($70,000.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred forty thousand dollars ($140,000.00) 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, 2008.

Source notes for subsection (q): (Laws 2003, Ch. 69, § 1.)

(r) Project – Sheridan Pipeline Rehabilitation Project:

(i) Project sponsor: City of Sheridan;

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

(iii) Project description: Construction and replacement of transmission pipelines, including approximately twelve (12) miles of existing sixteen (16) inch diameter water pipeline with a new twenty (20) inch diameter water pipeline, transmission pipelines that deliver water to the South Hill area and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eleven million three hundred sixty-eight thousand dollars ($11,368,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed five million six hundred eighty-four thousand dollars ($5,684,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five million six hundred eighty-four thousand dollars ($5,684,000.00) 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, 2008; and

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

Source notes for subsection (r): (Laws 2003, Ch. 69, § 1; 2005, ch. 147, § 11.)

(s) Project – Smiths Fork Flume Installation Project:

(i) Project sponsor: Smiths Fork Irrigation District;

(ii) Project purpose: Irrigation;

(iii) Project description: Installing new measuring flumes, as requested by the state engineer's office and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Thirty thousand dollars ($30,000.00);

(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 approved by the commission an amount not to exceed fifteen thousand dollars ($15,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission fifteen thousand dollars ($15,000.00) 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, 2008; and

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

Source notes for subsection (s): (Laws 2003, Ch. 69, § 1.)

ARTICLE 9 - 2004 CONSTRUCTION PROJECTS

99-3-901. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2004, Ch. 118, § 1.)

99-3-902. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2004, Ch. 118, § 1.)

99-3-903. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2004, Ch. 118, § 1.)

(b) Project – Bedford Water Tank Project:

(i) Project sponsor: Bedford Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a new water storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred thousand dollars ($1,500,000.00);

(v) Project grant:

(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, construction engineering, and construction of the project an amount not to exceed five hundred thousand dollars ($500,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(B) The state of Wyoming shall additionally grant to the sponsor from water development account I through the commission to meet project cost overruns an amount not to exceed three hundred thirty-five thousand dollars ($335,000.00) or sixty-seven percent (67%) of the actual overrun costs;

(C) Combining the grant amounts of subparagraphs (A) and (B) of this paragraph shall result in a maximum grant amount of eight hundred thirty-five thousand dollars ($835,000.00) which may be expended for the design, permit procurement, construction engineering, project land procurement and construction of the project.

(vi) Appropriation: There is appropriated from water development account I to the commission eight hundred thirty-five thousand dollars ($835,000.00) 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, 2012;

(vii) Special condition: The sponsor is responsible for acquiring the balance of the total project budget from other sources.

Source notes for subsection (b): (Laws 2004, Ch. 118, § 1; 2007, Ch. 121, § 2.)

(c) Project - Casper Raw Water Supply Project:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Sedimentation pond, pipelines, pumps and appurtenances necessary to make the project complete and function in the manner intended;

(iv) Total project budget: Nine hundred five thousand dollars ($905,000.00);

(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 construction of the project an amount not to exceed four hundred fifty-two thousand five hundred dollars ($452,500.00) 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 four hundred fifty-two thousand five hundred dollars ($452,500.00) 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 I on July 1, 2008; and

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

Source notes for subsection (c): (Laws 2004, Ch. 118, § 1.)

(d) Project - Dayton Well Purchase and Mitigation Project:

(i) Project sponsor: Town of Dayton;

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

(iii) Project description: Transfer of the well that was drilled during a Level II Groundwater Exploration Program and to plant trees to serve as project mitigation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six thousand dollars ($6,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the planting of trees to meet mitigation requirements of the water supply project an amount not to exceed three thousand dollars ($3,000.00) or fifty percent (50%) of the actual costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three thousand dollars ($3,000.00) 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, 2008;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed one hundred seventy-seven thousand five hundred dollars ($177,500.00) or fifty percent (50%) of the actual construction costs of the groundwater well completed during the Level II study, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of six percent (6%). In either event, the well purchase agreement shall be completed prior to completing the mitigation measures.

Source notes for subsection (d): (Laws 2004, Ch. 118, § 1.)

(e) Project – Dubois SCADA Project:

(i) Project sponsor: Town of Dubois;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Construction and installation of a new supervisory control and data acquisition system to replace the worn and outdated control system for the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Ninety thousand dollars ($90,000.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed forty-five thousand dollars ($45,000.00) 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 forty-five thousand dollars ($45,000.00) 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, 2008; and

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

Source notes for subsection (e): (Laws 2004, Ch. 118, § 1.)

(f) Project – Grieve and Cottonwood Creek Dams Project:

(i) Project sponsor: Little Snake River Conservation District and the Savery Little Snake Water Conservancy District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Reconstruction of Grieve Reservoir within the Little Snake River drainage and a new reservoir within the Cottonwood Creek drainage and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million eight hundred thousand dollars ($5,800,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed two million nine hundred thousand dollars ($2,900,000.00) 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 two million nine hundred thousand dollars ($2,900,000.00) 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 March 1, 2007; and

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

Source notes for subsection (f): (Laws 2004, Ch. 118, § 1; 2007, Ch. 121, § 2.)

(g) Project – Sleepy Hollow Project:

(i) Project sponsor: Central Campbell County Improvement and Service District;

(ii) Project purpose: Rural/domestic water supply;

(iii) Project description: Pipelines to connect a well to the existing system and appurtenances necessary to make the project complete and 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 I 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 the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I 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 I on July 1, 2008; and

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

Source notes for subsection (g): (Laws 2004, Ch. 118, § 1.)

(h) Project – Sunset Pipeline Project:

(i) Project sponsor: Sunset Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: The project includes construction of a pipeline to connect to the City of Newcastle's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred thirty-eight thousand six hundred dollars ($938,600.00);

(v) Project grant:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred twelve thousand five hundred dollars ($212,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(B) The state of Wyoming shall additionally grant to the sponsor from water development account I through the commission to meet project cost overruns an amount not to exceed three hundred forty-four thousand one hundred twelve dollars ($344,112.00) or sixty-seven percent (67%) of the actual overrun costs;

(C) Combining the grant amounts of subparagraphs (A) and (B) of this paragraph shall result in a maximum grant amount of five hundred fifty-six thousand six hundred twelve dollars ($556,612.00) which may be expended for the design, permit procurement, construction engineering, project land procurement and construction of the project.

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred fifty-six thousand six hundred twelve dollars ($556,612.00) 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, 2012; and

(vii) Special condition: The sponsor is responsible for acquiring the remaining balance of the total project budget from other sources.

Source notes for subsection (h): (Laws 2004, Ch. 118, § 1; 2007, Ch. 121, § 2.)

99-3-904. 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.

Source notes for subsection (a): (Laws 2004, Ch. 118, § 1.)

(b) Project – Albin Pipelines and Well Rehabilitation:

(i) Project sponsor: Town of Albin;

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

(iii) Project description: Rehabilitation of existing wells and construction of a new pipeline from the Station Well to their 100,000 gallon elevated storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred thirty thousand dollars ($430,000.00);

(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 fifteen thousand dollars ($215,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred fifteen thousand dollars ($215,000.00) 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, 2013; and

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

Source notes for subsection (b): (Laws 2004, Ch. 118, § 1; 2008, Ch. 75, § 2; 2011, Ch. 63, § 2.)

(c) Project – Casper Alcova Rehabilitation Project:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Repair and replacement of aged open ditch drop structures with new drop structures and headwalls, replacement of open ditches with plastic pipe and

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

(iv) Total project budget: One million seven hundred sixty thousand dollars ($1,760,000.00);

(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 approved by the commission an amount not to exceed eight hundred eighty thousand dollars ($880,000.00) or one hundred percent (100%) of the cost of the materials, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred eighty thousand dollars ($880,000.00) 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, 2010;

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

(viii) Supplemental project budget: Four hundred forty thousand dollars ($440,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed two hundred ninety-four thousand eight hundred dollars ($294,800.00) for the purchase of one hundred percent (100%) of project materials costs as supported by vendor invoices and approved by the commission;

(x) Supplemental appropriation: There is appropriated from water development account II to the commission an additional two hundred ninety-four thousand eight hundred dollars ($294,800.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total one million one hundred seventy-four thousand eight hundred dollars ($1,174,800.00), 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, 2010; and

(xi) Special supplemental conditions:

(A) The sponsor is responsible for acquiring all necessary easements and permits and the remaining thirty-three percent (33%) of the total supplemental project budget from other sources which shall include all labor and equipment costs associated with completing the project;

(B) The supplemental appropriation is based upon a different grant and loan ratio than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (c): (Laws 2004, Ch. 118, § 1; 2005, ch. 147, § 12; 2006, ch. 105, § 10.)

(d) Project – Gillette Madison and Pine Ridge Tanks Project:

(i) Project sponsor: City of Gillette;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of new, redundant water storage tanks that are needed to facilitate maintenance of the existing storage tanks and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred thousand dollars ($1,100,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed five hundred fifty thousand dollars ($550,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred fifty thousand dollars ($550,000.00) 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, 2008; and

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

Source notes for subsection (d): (Laws 2004, Ch. 118, § 1.)

(e) Project – Glenrock Sunup Ridge Tank Rehabilitation Project:

(i) Project sponsor: Town of Glenrock;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Rehabilitation of the town's Sunup Ridge tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred sixty-five thousand five hundred dollars ($265,500.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred thirty-two thousand seven hundred fifty dollars ($132,750.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred thirty-two thousand seven hundred fifty dollars ($132,750.00) 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, 2008; and

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

Source notes for subsection (e): (Laws 2004, Ch. 118, § 1.)

(f) Project – Guernsey Tanks and Pipelines Project:

(i) Project sponsor: Town of Guernsey;

(ii) Project purpose: Municipal water supply;

(iii) Project description: The project will rehabilitate the town's water storage facilities, provide for an emergency connection to the Wyoming Army National Guard Camp, replace undersized and aged transmission mains and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred thirty thousand dollars ($1,230,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed six hundred fifteen thousand dollars ($615,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred fifteen thousand dollars ($615,000.00) 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, 2008; and

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

Source notes for subsection (f): (Laws 2004, Ch. 118, § 1.)

(g) Project – Heart Mountain Pipe Conversion Project:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: The project will replace open ditch laterals with piped laterals and includes the replacement of ditch turnouts, head gates and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred four thousand two hundred twenty dollars ($1,204,220.00);

(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 approved by the commission an amount not to exceed six hundred two thousand one hundred ten dollars ($602,110.00) or one hundred percent (100%) of the cost of the materials, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred two thousand one hundred ten dollars ($602,110.00) 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, 2010;

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

(viii) Supplemental project budget: One hundred sixty-nine thousand dollars ($169,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed one hundred thirteen thousand two hundred thirty dollars ($113,230.00) for the purchase of one hundred percent (100%) of project material costs as supported by vendor invoices and approved by the commission or sixty-seven percent (67%) of the total supplemental project costs, whichever is less;

(x) Supplemental appropriation: There is appropriated from water development account II to the commission an additional one hundred thirteen thousand two hundred thirty dollars ($113,230.00), which when combined with the original appropriation as described in paragraphs (iv) through (vi) of this subsection, total seven hundred fifteen thousand three hundred forty dollars ($715,340.00), 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, 2010; and

(xi) Special supplemental conditions:

(A) The sponsor is responsible for acquiring all necessary easements and permits and the remaining thirty-three percent (33%) of the total supplemental project budget from other sources which shall include all labor and equipment costs associated with completing the project;

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (g): (Laws 2004, Ch. 118, § 1; 2006, ch. 105, § 11.)

(h) Project – Hidden Valley Pipelines Project:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: The project entails replacing open ditches with piped laterals and miscellaneous appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million four hundred twenty-six thousand three hundred four dollars ($3,426,304.00);

(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 approved by the commission an amount not to exceed one million four hundred seventy-four thousand one hundred three dollars ($1,474,103.00) or one hundred percent (100%) of the cost of the materials, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million four hundred seventy-four thousand one hundred three dollars ($1,474,103.00) 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, 2010;

(vii) Special condition: The sponsor is responsible for acquiring the balance of the total project budget from other sources;

(viii) Supplemental project budget: Two million two hundred thirty-two thousand dollars ($2,232,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed one million four hundred ninety-five thousand four hundred forty dollars ($1,495,440.00) for the purchase of one hundred percent (100%) of project material costs as supported by vendor invoices and approved by the commission or sixty-seven percent (67%) of the total supplemental project costs, whichever is less;

(x) Supplemental appropriation: There is appropriated from water development account II to the commission an additional one million four hundred ninety-five thousand four hundred forty dollars ($1,495,440.00), which when combined with funds appropriated as described in paragraphs (iv) through (vi) of this subsection, total two million nine hundred sixty-nine thousand five hundred forty-three dollars ($2,969,543.00), 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, 2010; and

(xi) Special supplemental conditions:

(A) The sponsor is responsible for acquiring all necessary easements and permits and the remaining thirty-three percent (33%) of the total supplemental project budget from other sources which shall include all labor and equipment costs associated with completing the project;

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (h): (Laws 2004, Ch. 118, § 1; 2006, ch. 105, § 12.)

(j) Project – Lake Hattie Dam Rehabilitation Project:

(i) Project sponsor: Pioneer Canal-Lake Hattie Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Replacing the existing head gates with a new structure designed to address sediment buildup at the head gates and appurtenances for the project to function in the manner intended;

(iv) Total project budget: One hundred sixty-three thousand dollars ($163,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-one thousand five hundred dollars ($81,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vi) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-one thousand five hundred dollars ($81,500.00) or fifty percent (50%) of the actual development costs, whichever is less; and

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred sixty-three thousand dollars ($163,000.00) 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, 2010.

Source notes for subsection (j): (Laws 2004, Ch. 118, § 1.)

(k) Project – Saratoga Standpipe Rehabilitation Project:

(i) Project sponsor: The Town of Saratoga and the Carbon County Impact Joint Powers Board;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Rehabilitation of the existing water storage tank 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, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred thousand dollars ($200,000.00) or fifty percent (50%) of the 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, 2008; and

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

Source notes for subsection (k): (Laws 2004, Ch. 118, § 1.)

(m) Project – Turnerville Water Supply Project:

(i) Project sponsor: Turnerville Water and Sewer District;

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

(iii) Project description: Replacing undersized and aged transmission pipelines, spring rehabilitation, construction of a water storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred seventy-five thousand five hundred dollars ($1,175,500.00);

(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, construction

engineering, project land procurement and construction of the project an amount not to exceed five hundred eighty-seven thousand seven hundred fifty dollars ($587,750.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred eighty-seven thousand seven hundred fifty dollars ($587,750.00) 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, 2010;

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

(viii) Supplemental project budget: Two hundred thirty-three thousand two hundred dollars ($233,200.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed one hundred fifty-six thousand two hundred forty-four dollars ($156,244.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(x) Supplemental appropriation: There is appropriated from water development account II to the commission an additional one hundred fifty-six thousand two hundred forty-four dollars ($156,244.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total seven hundred forty-three thousand nine hundred ninety-four dollars ($743,994.00), 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, 2010; and

(xi) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (m): (Laws 2004, Ch. 118, § 1; 2006, ch. 105, § 14.)

(n) Project - Wind River Irrigation Project:

(i) Project sponsor: The Joint Business Council for the Eastern Shoshone and Northern Arapaho Tribes or the Eastern Shoshone Business Council or the Northern Arapaho Business Council;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: The rehabilitation of the irrigation delivery system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven million dollars ($7,000,000.00);

(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 three million five hundred thousand dollars ($3,500,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three million five hundred thousand dollars ($3,500,000.00) 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, 2015; and

(vii) Special conditions:

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

(B) In the event of a dispute between the contract parties, unexpended funds shall be withheld until the dispute is resolved.

Source notes for subsection (n): (Laws 2004, Ch. 118, § 1; 2007, Ch. 121, § 2; 2010, ch. 68, § 2.)

ARTICLE 10 - 2005 CONSTRUCTION PROJECTS

99-3-1001. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2005, ch. 147, § 1.)

99-3-1002. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2005, ch. 147, § 1.)

99-3-1003. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2005, Ch. 147, § 1.)

(b) Project – Albin 2005 Well:

(i) Project sponsor: Town of Albin;

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

(iii) Project description: Design and construction of transmission pipelines, control building and valves to connect a new groundwater supply to the town's system and include appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred forty-two thousand dollars ($342,000.00);

(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 construction of the project an amount not to exceed one hundred seventy-one thousand dollars ($171,000.00) 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 one hundred seventy-one thousand dollars ($171,000.00) 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, 2010;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed twenty-one thousand nine hundred sixty-eight dollars and seventy-five cents ($21,968.75) or fifty percent (50%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%);

(C) The sponsor shall purchase the Albin 04-01 well completed during the Level II study for a price not to exceed two thousand five hundred fourteen dollars and sixty cents ($2,514.60) or thirty-three percent (33%) of the actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(viii) Supplemental project budget: Eighty-four thousand dollars ($84,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission an amount not to exceed fifty-six thousand two hundred eighty dollars ($56,280.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be

used for design, construction engineering and construction of the project;

(x) Supplemental appropriation: There is appropriated from water development account I to the commission an additional fifty-six thousand two hundred eighty dollars ($56,280.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total two hundred twenty-seven thousand two hundred eighty dollars ($227,280.00), 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, 2010; and

(xi) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (b): (Laws 2005, Ch. 147, § 1; 2006, ch. 105, § 15; 2007, Ch. 121, § 2.)

(c) Project – Alta Water Supply:

(i) Project sponsor: Targhee Towne Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of transmission pipelines, control building and valves to connect the well that was recently drilled and developed during the Level II study to the district's water system and to include appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred thirty-two thousand dollars ($732,000.00);

(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 construction of the project an amount not to exceed three hundred sixty-six thousand dollars ($366,000.00) 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 three hundred sixty-six thousand dollars ($366,000.00) 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, 2009; and

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed fifty percent (50%) of the actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of six percent (6%);

(C) Funds for construction of the project shall not be released until the Level II well has been successfully drilled and developed.

Source notes for subsection (c): (Laws 2005, Ch. 147, § 1.)

(d) Project - Baggs Raw Water and Dedicated Transmission Line:

(i) Project sponsor: Town of Baggs;

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

(iii) Project description: Construction of a raw water irrigation system to irrigate parks and greenways and construction of a treated water transmission line dedicated for the delivery of water to the town’s potable water storage tank and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred sixty-three thousand dollars ($663,000.00);

(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 construction of the project an amount not to exceed three hundred thirty-one thousand five hundred dollars ($331,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred thirty-one thousand five hundred dollars ($331,500.00) or fifty percent (50%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%); and

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred sixty-three thousand dollars ($663,000.00) 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, 2009.

Source notes for subsection (d): (Laws 2005, Ch. 147, § 1.)

(e) Project – Bridger Valley Joint Powers Board Big Hill Transmission Line:

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

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Construction of transmission pipelines to connect the Big Hill area south of Mountain View to the district’s water system and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thirty-five thousand two hundred dollars ($135,200.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed sixty-seven thousand six hundred dollars ($67,600.00) 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 sixty-seven thousand six hundred dollars ($67,600.00) 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, 2009; and

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

Source notes for subsection (e): (Laws 2005, Ch. 147, § 1.)

(f) Project – Canyon Water Supply:

(i) Project sponsor: Canyon Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Construction of transmission pipelines to connect a new groundwater supply to the district's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million one hundred seventy-five thousand five hundred twenty-three dollars ($2,175,523.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed one million four hundred fifty-seven thousand six hundred dollars ($1,457,600.00) or sixty-

seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million four hundred fifty-seven thousand six hundred dollars ($1,457,600.00) 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, 2010; and

(vii) Special conditions:

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

(B) The sponsor shall purchase the well completed during the Level II study for a price not to exceed thirty-three percent (33%) of the actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%);

(C) Funds for construction of the project shall not be released until the Level II well has been successfully drilled and developed.

Source notes for subsection (f): (Laws 2005, Ch. 147, § 1; 2006, ch. 105, § 16; 2007, Ch. 121, § 2.)

(g) Project – Casper Zone II, Phase II:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Construction of transmission pipelines and storage facilities in the city's East Zone II Area and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million six hundred thousand dollars ($2,600,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one million three hundred thousand dollars ($1,300,000.00) 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 one million three hundred thousand dollars ($1,300,000.00) 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, 2009; and

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

Source notes for subsection (g): (Laws 2005, Ch. 147, § 1.)

(h) Project – Gillette Fort Union Well Field, Phase I:

(i) Project sponsor: City of Gillette;

(ii) Project purpose: Municipal water supply;

(iii) Project description: The sponsor is seeking funding for the first phase of a three phase thirty-eight million six hundred thousand dollar ($38,600,000.00) construction program that includes additional well field exploration, permitting, easement acquisition and a new groundwater supply source located south of Gillette;

(iv) Total Phase I project budget: Two million dollars ($2,000,000.00);

(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, construction engineering, and project land procurement of the project an amount not to exceed one million dollars ($1,000,000.00) 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 one million dollars ($1,000,000.00) 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 I on July 1, 2008;

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

(viii) Supplemental project budget: Seven million six hundred fifty thousand dollars ($7,650,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission an amount not to exceed five million one hundred twenty-five thousand five hundred dollars ($5,125,500.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(x) Supplemental project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission an amount not to exceed two million five hundred twenty-four thousand five hundred dollars ($2,524,500.00) or thirty-three percent (33%) of the additional funds needed to complete the project, whichever is less for a term of twenty-five (25) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%). Supplemental loan funds may be used for design, permit procurement, project land procurement, construction engineering and construction of the project;

(xi) Supplemental appropriation: There is appropriated from water development account I to the commission an additional seven million six hundred fifty thousand dollars ($7,650,000.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total eight million six hundred fifty thousand dollars ($8,650,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended supplemental funds appropriated under this subsection shall revert to water development account I on March 1, 2007; and

(xii) Special supplemental condition: The supplemental appropriation is based upon a different grant and loan ratio percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of

this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (c): (Laws 2005, Ch. 147, § 1; 2006, ch. 105, § 17; 2007, Ch. 121, § 2; 2008, Ch. 75, § 2.)

(j) Project – North Wright Transmission Line:

(i) Project sponsor: Wright Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Construction of a transmission pipeline along the north side of the district's service area to improve fire flow capacities and to improve water quality by looping pipelines within the district's northern area and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thirty-eight thousand dollars ($538,000.00);

(v) Project grant:

(A) The state of Wyoming shall grant to the sponsor from water development account I through the commission for project materials as supported by vendor invoices and approved by the commission an amount not to exceed two hundred sixty-nine thousand dollars ($269,000.00) or one hundred percent (100%) of the actual materials costs, whichever is less;

(B) The state of Wyoming shall additionally grant to the sponsor from water development account I through the commission to meet material cost overruns as supported by vendor invoices and approved by the commission an amount not to exceed one hundred sixty-five thousand dollars ($165,000.00) or one hundred percent (100%) of the actual materials costs, whichever is less;

(C) Combining the grant amounts of subparagraphs (A) and (B) of this paragraph shall result in a maximum grant amount of four hundred thirty-four thousand dollars ($434,000.00) which may be expended to meet material cost overruns as supported by vendor invoices and approved by the commission, which constitutes fifty-five and four tenths percent (55.4%) of the estimated development costs.

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred thirty-four thousand dollars ($434,000.00) 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, 2012; and

(vii) Special conditions:

(A) The sponsor is responsible for acquiring the balance of the total project budget from other sources;

(B) The sponsor is responsible for providing in-kind services necessary to construct the project and for procuring engineering design and construction engineering services.

Source notes for subsection (j): (Laws 2005, Ch. 147, § 1; 2007, Ch. 121, § 2.)

99-3-1004. 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.

Source notes for subsection (a): (Laws 2005, Ch. 147, § 1.)

(b) Project – Eden Valley Irrigation District Rehabilitation:

(i) Project sponsor: Eden Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Rehabilitation and replacement of three (3) open ditch laterals with three (3) piped laterals and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million sixteen thousand dollars ($3,016,000.00);

(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 eight thousand dollars ($1,508,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million five hundred eight thousand dollars ($1,508,000.00) 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, 2010; and

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

Source notes for subsection (b): (Laws 2005, Ch. 147, § 1.)

(c) Project – Gillette Madison Pipeline Joint Bonding:

(i) Project sponsor: City of Gillette;

(ii) Project purpose: Municipal water supply;

(iii) Project description: The rehabilitation and replacement of bonding wires to provide corrosion protection to the city's Madison Pipeline and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million four hundred fifty thousand dollars ($2,450,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one million two hundred twenty-five thousand dollars ($1,225,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million two hundred twenty-five thousand dollars ($1,225,000.00) 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, 2010;

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

(viii) Supplemental project budget: Five million seven hundred fifty thousand dollars ($5,750,000.00);

(ix) Supplemental project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission an amount not to exceed three million eight hundred fifty-two thousand five hundred dollars ($3,852,500.00) or sixty-seven percent (67%) of the additional funds needed to complete the project, whichever is less. Supplemental grant funds may be used for design, construction engineering and construction of the project;

(x) Supplemental appropriation: There is appropriated from water development account II to the commission an additional three million eight hundred fifty-two thousand five hundred dollars ($3,852,500.00), which when combined with the original appropriation, as described in paragraphs (iv) through (vi) of this subsection, total five million seventy-seven thousand five hundred dollars ($5,077,500.00) 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, 2016; and

(xi) Special supplemental conditions:

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

(B) The supplemental appropriation is based upon a different grant percentage than the original appropriation. The original funding described in paragraphs (iv) through (vi) of this subsection shall be expended prior to incurring supplemental funding expenditures.

Source notes for subsection (c): (Laws 2005, Ch. 147, § 1; 2006, Ch. 105, § 18; 2009, Ch. 38, § 2; 2014, Ch. 100, § 2; 2015, Ch. 23,§ 2.)

(d) Project – Green River Supply Canal Rehabilitation:

(i) Project sponsor: Green River Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Rehabilitation and improvement of the district's delivery system, which includes providing underdrains, repairing washouts, providing replacement or rehabilitation of diversion structures, addressing safety problems and re-grading and reforming portions of the canal and including appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Three hundred fifty thousand dollars ($350,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred thirty-four thousand five hundred dollars ($234,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred fifteen thousand five hundred dollars ($115,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%); and

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred fifty thousand dollars ($350,000.00) 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, 2013.

Source notes for subsection (d): (Laws 2005, Ch. 147, § 1; 2009, Ch. 38, § 2.)

(e) Project – Lake DeSmet Rehabilitation:

(i) Project sponsor: Lake DeSmet Counties Coalition Joint Powers Board;

(ii) Project purpose: Recreation, agriculture and industrial water supply;

(iii) Project description: To repair and replace outlet gates at the north dam, fabricate and install a top grate on the tunnel outlet shaft, install piezometers in the north dam, install riprap and inclusion of appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million four hundred thirty thousand dollars ($1,430,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed nine hundred fifty-eight thousand one hundred dollars ($958,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed four hundred seventy-one thousand nine hundred dollars ($471,900.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%); and

(vii) Appropriation: There is appropriated from water development account II to the commission one million four hundred thirty thousand dollars ($1,430,000.00) 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, 2013;

(viii) Special conditions:

(A) If the sponsor enters into any agreement for the lease, sale, assignment or transfer of ownership of water from Lake DeSmet Dam and Reservoir for uses other than municipal, environmental, recreation or fish and wildlife uses, or any agreement for the lease, sale, assignment or transfer of

ownership for all or part of Lake DeSmet Dam and Reservoir, the revenues from any such lease, sale, assignment or transfer of ownership shall be used for the following purposes in order of the following priorities:

(I) Operation, maintenance and replacement costs as needed by the sponsor for Lake DeSmet Dam and Reservoir as approved by the commission;

(II) A reserve account totaling one hundred thousand dollars ($100,000.00) to be earmarked for extraordinary operation, maintenance and replacement costs as needed by the sponsor for Lake DeSmet Dam and Reservoir;

(III) Retirement of any outstanding principal on the project loan;

(IV) Reimbursement to the commission for the project grant; and

(V) After the project loan has been retired and the project grant has been reimbursed, any remaining revenues shall be the property of the sponsor.

(B) Revenues received by the state from any such lease, sale, assignment or transfer of ownership shall be deposited into water development account II.

Source notes for subsection (e): (Laws 2005, Ch. 147, § 1; 2009, Ch. 38, § 2.)

(f) Project – Meade Creek Ditch Rehabilitation:

(i) Project sponsor: Meade Creek Ditch Company Irrigation District; (Laws 2006, ch. 105, § 19.)

(ii) Project purpose: Agriculture water supply;

(iii) Project description: To rehabilitate the Meade Creek Ditch drop facility with the installation of a new drop and energy dissipation structure near the upper end of the district’s conveyance system and to include appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thirty-five thousand dollars ($535,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred sixty-seven thousand five hundred dollars ($267,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred thirty-three thousand seven hundred fifty dollars ($133,750.00) or twenty-five percent (25%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of six percent (6%);

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred one thousand two hundred fifty dollars ($401,250.00) 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, 2010; and

(viii) The sponsor is responsible for acquiring twenty-five percent (25%) of the total project budget from other sources.

Source notes for subsection (f): (Laws 2005, Ch. 147, § 1; 2006, ch. 105, § 19.)

(g) Project – Meeteetse Storage Tank Rehabilitation:

(i) Project sponsor: Town of Meeteetse;

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

(iii) Project description: To rehabilitate the town’s water storage tank and to include appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Two hundred fifty thousand dollars ($250,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred twenty-five thousand dollars ($125,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred twenty-five thousand dollars ($125,000.00) 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, 2009; and

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

Source notes for subsection (g): (Laws 2005, Ch. 147, § 1.)

(h) Project – Midvale Diversion Dam Rehabilitation:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: To replace the gearboxes that operate the district's Wind River diversion dam gates and to include appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Two hundred seventy-six thousand dollars ($276,000.000);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for project materials as supported by vendor invoices and approved by the commission an amount not to exceed one hundred thirty-eight thousand dollars ($138,000.00) or one hundred percent (100%) of the actual materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred thirty-eight thousand dollars ($138,000.00) 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, 2009; and

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

Source notes for subsection (h): (Laws 2005, Ch. 147, § 1.)

(j) Project – Ranchester Storage Tank:

(i) Project sponsor: The Town of Ranchester;

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

(iii) Project description: To construct additional water storage facilities for the town and to include appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Six hundred twenty-eight thousand dollars ($628,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred fourteen thousand dollars ($314,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred fourteen thousand dollars ($314,000.00) 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, 2009; and

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

Source notes for subsection (j): (Laws 2005, Ch. 147, § 1.)

(k) Project – Stonegate Water Supply Project:

(i) Project sponsor: Stonegate Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Transmission pipeline booster station, valves to connect to the city of Gillette's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred sixty thousand dollars ($260,000.00);

(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 hundred thirty thousand dollars ($130,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred thirty thousand dollars ($130,000.00) 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, 2008;

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

Source notes for subsection (k): (Laws 2005, Ch. 147, § 1; 2008, Ch. 75, § 2.)

(m) Project – Taylor Ditch Siphon:

(i) Project sponsor: Taylor Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: To replace an inverted siphon, including the inlet and outlet structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred forty thousand dollars ($540,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred seventy thousand dollars ($270,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred seventy thousand dollars ($270,000.00) 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 March 1, 2007; and

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

Source notes for subsection (m): (Laws 2005, Ch. 147, § 1; 2007, Ch. 121, § 2.)

ARTICLE 11 - 2006 CONSTRUCTION PROJECTS

99-3-1101. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2006, ch. 105, § 3.)

99-3-1102. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2006, ch. 105, § 3.)

99-3-1103. Level III construction projects-new development.

(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.

Source notes for subsection (a): (Laws 2006, Ch. 105, § 3.)

(b) Project – Afton 2006 Well:

(i) Project sponsor: Town of Afton;

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

(iii) Project description: Design and construction of transmission pipelines to connect a groundwater supply to the town's system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fifty thousand dollars ($250,000.00);

(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 construction of the project an amount not to exceed one hundred sixty-seven thousand five hundred dollars ($167,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-two thousand five hundred dollars ($82,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred fifty thousand dollars ($250,000.00) 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, 2010.

Source notes for subsection (b): (Laws 2006, Ch. 105, § 3.)

(c) Project – Bear River/Evanston Regional Pipeline Project:

(i) Project sponsor: Bear River Regional Joint Powers Board;

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

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

(iv) Total project budget: Five million five hundred twenty-one thousand dollars ($5,521,000.00);

(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 construction of the project an amount not to exceed three million six hundred ninety-nine thousand seventy dollars ($3,699,070.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million six hundred ninety-nine thousand seventy dollars ($3,699,070.00) 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, 2010; and

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

Source notes for subsection (c): (Laws 2006, Ch. 105, § 3.)

(d) Project – Dubois Well No. Eleven Supply:

(i) Project sponsor: Town of Dubois;

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

(iii) Project description: Design and construction of transmission pipelines to connect the well that was recently drilled and developed during the Level II study to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifteen thousand dollars ($415,000.00);

(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 construction of the project an amount not to exceed two hundred seventy-eight thousand fifty dollars ($278,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred thirty-six thousand nine hundred fifty dollars ($136,950.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred fifteen thousand dollars ($415,000.00) 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, 2011; and

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price not to exceed thirteen thousand nine hundred ninety-one dollars and fifty-nine cents ($13,991.59) or thirty-three percent (33%) of the well's actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (d): (Laws 2006, Ch. 105, § 3; 2008, Ch. 75, § 2.)

(e) Project – Eight Mile/High Plains Well:

(i) Project sponsor: Eight Mile Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of transmission pipelines to connect the well drilled during the Level II study to the district's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred fifty-five thousand dollars ($555,000.00);

(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 construction of the project an amount not to exceed three hundred seventy-one thousand eight hundred fifty dollars ($371,850.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred seventy-one thousand eight hundred fifty dollars ($371,850.00) 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, 2010; and

(vii) Special conditions:

(A) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed sixty-two thousand four hundred twenty-eight dollars and seventy-nine cents ($62,428.79) or thirty-three percent (33%) of the well's actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%);

(B) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 2006, Ch. 105, § 3.)

(f) Project – Glenrock 2006 Water Storage Tank Project:

(i) Project sponsor: The Town of Glenrock;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a new water storage tank, site piping, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred fifty thousand five hundred dollars ($950,500.00);

(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 construction of the project an amount not to exceed six hundred thirty-six thousand eight hundred thirty-five dollars ($636,835.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred thirty-six thousand eight hundred thirty-five dollars ($636,835.00) 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, 2010; and

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

Source notes for subsection (f): (Laws 2006, Ch. 105, § 3.)

(g) Project - Hyattville Water Supply:

(i) Project sponsor: Hyattville Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a storage tank and transmission facilities to connect the well completed during the Level II study to the district's water system, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred thirty-five thousand dollars ($835,000.00);

(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 construction of the project an amount not to exceed five hundred fifty-nine thousand four hundred fifty dollars ($559,450.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred seventy-five thousand five hundred fifty dollars ($275,550.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission eight hundred thirty-five thousand dollars ($835,000.00) 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, 2010; and

(viii) Special condition: The sponsor shall purchase the well completed during the Level II study for a price not to exceed one hundred six thousand five hundred sixty dollars ($106,560.00) or thirty-three percent (33%) of the well's actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (g): (Laws 2006, Ch. 105, § 3.)

(h) Project – Kaycee Storage and Transmission:

(i) Project sponsor: Town of Kaycee;

(ii) Project purpose: Municipal water supply;

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

(iv) Total project budget: Two million three hundred fifty thousand dollars ($2,350,000.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed one million five hundred seventy-four thousand five hundred dollars ($1,574,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed seven hundred seventy-five thousand five hundred dollars ($775,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%); and

(vii) Appropriation: There is appropriated from water development account I to the commission two million three hundred fifty thousand dollars ($2,350,000.00) 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, 2010.

Source notes for subsection (h): (Laws 2006, Ch. 105, § 3.)

(j) Project – Northwest Rural Water Storage II:

(i) Project sponsor: Northwest Rural Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Construction of new water storage facilities, transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million nine hundred sixty thousand dollars ($2,960,000.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed one million nine hundred eighty-three thousand two hundred dollars ($1,983,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed nine hundred seventy-six thousand eight hundred dollars ($976,800.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%); and

(vii) Appropriation: There is appropriated from water development account I to the commission two million nine hundred sixty thousand dollars ($2,960,000.00) 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, 2010.

Source notes for subsection (j): (Laws 2006, Ch. 105, § 3.)

(k) Project – Pine Bluffs Lance, Fox Hills Well:

(i) Project sponsor: Town of Pine Bluffs;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Construction of transmission pipelines necessary to connect the town's well completed during the Level II study to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred forty thousand dollars ($540,000.00);

(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 construction of the project an amount not to exceed three hundred sixty-one thousand eight hundred dollars ($361,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed seventy-three thousand four hundred forty dollars ($73,440.00) or thirteen and six-tenths percent (13.6%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred thirty-five thousand two hundred forty dollars ($435,240.00) 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, 2011; and

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price not to exceed forty thousand three hundred fifty-nine dollars ($40,359.00) or thirty-three percent (33%) of the well's actual construction costs, whichever is less. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%);

(B) The sponsor is responsible for acquiring nineteen and four-tenths percent (19.4%) of the total project budget from other sources.

Source notes for subsection (k): (Laws 2006, Ch. 105, § 3; 2008, Ch. 75, § 2.)

(m) Project – Pine Haven Transmission 2006 Project:

(i) Project sponsor: The Town of Pine Haven;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Construction of new water transmission facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred forty-eight thousand dollars ($348,000.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed two hundred thirty-three thousand one hundred sixty dollars ($233,160.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred fourteen thousand eight hundred forty dollars ($114,840.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%); and

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred forty-eight thousand dollars ($348,000.00) 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, 2012.

Source notes for subsection (m): (Laws 2006, Ch. 105, § 3; 2010, ch. 68, § 2.)

(n) Project – Squaw Creek Well Field:

(i) Project sponsor: Squaw Creek Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: To connect the well drilled during the groundwater grant study to the district's water system, and appurtenances necessary for the project to function as intended;

(iv) Total project budget: Two hundred sixty-five thousand dollars ($265,000.00);

(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, construction engineering, and project land procurement of the project an amount not to exceed one hundred seventy-seven thousand five hundred fifty dollars ($177,550.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred seventy-seven thousand five hundred fifty dollars ($177,550.00) 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, 2010; and

(vii) Special conditions:

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

(B) Funds for construction of the project shall not be released until the Level II well has been successfully drilled and developed.

Source notes for subsection (n): (Laws 2006, Ch. 105, § 3.)

(o) Project – Wardwell Water Supply Improvements:

(i) Project sponsor: Wardwell Water and Sewer District;

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

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

(iv) Total project budget: Six million eight hundred seventy thousand dollars ($6,870,000.00);

(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, construction engineering and project land procurement of the project an amount not to exceed four million six hundred two thousand nine hundred dollars ($4,602,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four million six hundred two thousand nine hundred dollars ($4,602,900.00) 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, 2013; and

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

Source notes for subsection (o): (Laws 2006, Ch. 105, § 3; 2008, Ch. 75, § 2; 2011, Ch. 63, § 2.)

99-3-1104. 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.

Source notes for subsection (a): (Laws 2006, Ch. 105, § 3.)

(b) Project – Alpine Wells Rehabilitation:

(i) Project sponsor: The Town of Alpine;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and installation of new pumps, pipelines and a backup power supply and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thirty-seven thousand dollars ($537,000.00);

(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 three hundred fifty-nine thousand seven hundred ninety dollars ($359,790.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred fifty-nine thousand seven hundred ninety dollars ($359,790.00) 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, 2013; and

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

Source notes for subsection (b): (Laws 2006, Ch. 105, § 3; 2011, Ch. 63, § 2.)

(c) Project – Big Valley and Crossed Arrows Water Supply:

(i) Project sponsor: Big Valley and Crossed Arrows Improvement District;

(ii) Project purpose: Rural, domestic water supply;

(iii) Project description: Design and installation of transmission pipelines, storage facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred thirteen thousand dollars ($1,113,000.00);

(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 forty-five thousand seven hundred ten dollars ($745,710.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred forty-five thousand seven hundred ten dollars ($745,710.00) 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 March 1, 2007; and

(vii) Special conditions:

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

(B) The sponsor shall enter into a water service contract with the Town of Meeteetse before the project commences.

Source notes for subsection (c): (Laws 2006, Ch. 105, § 3; 2007, Ch. 121, § 2.)

(d) Project – Frannie Raw Water Supply:

(i) Project sponsor: Town of Frannie;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Rehabilitation of the town's irrigation well and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred fifty-five thousand dollars ($655,000.00);

(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 four hundred thirty-eight thousand eight hundred fifty dollars ($438,850.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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

project an amount not to exceed two hundred sixteen thousand one hundred fifty dollars ($216,150.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%); and

(vii) Appropriation: There is appropriated from water development account II to the commission six hundred fifty-five thousand dollars ($655,000.00) 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 March 1, 2007.

Source notes for subsection (d): (Laws 2006, Ch. 105, § 3; 2007, Ch. 121, § 2.)

(e) Project – Hopkins Producers Supply Project:

(i) Project sponsor: Hopkins Producers Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of new gravity flow pipelines to replace open ditch laterals and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million fifty thousand dollars ($1,050,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed seven hundred three thousand five hundred dollars ($703,500.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred three thousand five hundred dollars ($703,500.00) 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, 2010; and

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

Source notes for subsection (e): (Laws 2006, Ch. 105, § 3.)

(f) Project – Laramie Water Management Project (meters):

(i) Project sponsor: City of Laramie;

(ii) Project purpose: Municipal water supply;

(iii) Project description: The rehabilitation and replacement of water transmission meters and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred forty-five thousand dollars ($145,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed ninety-seven thousand one hundred fifty dollars ($97,150.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission ninety-seven thousand one hundred fifty dollars ($97,150.00) 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, 2010; and

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

Source notes for subsection (f): (Laws 2006, Ch. 105, § 3.)

(g) Project – Midvale Irrigation District Conservation/Automation Project:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and installation of system monitoring and automation equipment and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Eight hundred ten thousand dollars ($810,000.00);

(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 approved by the commission an amount not to exceed five hundred forty-two thousand seven hundred dollars ($542,700.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred forty-two thousand seven hundred dollars ($542,700.00) 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, 2012; and

(vii) Special condition: 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.

Source notes for subsection (g): (Laws 2006, Ch. 105, § 3; 2010, ch. 68, § 2.)

(h) Project – Shoshone Eagle Nest Creek:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: To design and construct repairs to the Eagle Nest Creek crossing and replace open ditch laterals with piped laterals and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seven hundred ten thousand dollars ($1,710,000.00);

(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 approved by the commission an amount not to exceed one million one hundred forty-five thousand seven hundred dollars ($1,145,700.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million one hundred forty-five thousand seven hundred dollars ($1,145,700.00) 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, 2010; and

(vii) Special conditions: The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents, and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (h): (Laws 2006, Ch. 105, § 3.)

(j) Project – Thermopolis Storage Replacement and Rehabilitation:

(i) Project sponsor: The Town of Thermopolis;

(ii) Project purpose: Municipal, domestic water supply;

(iii) Project description: Rehabilitation of the town's water storage system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million eight hundred eighty thousand dollars ($2,880,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed one million nine hundred twenty-nine thousand six hundred dollars ($1,929,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million three hundred twenty-four thousand one hundred sixty dollars ($2,324,160.00) 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, 2012;

(vii) Special condition: The sponsor is responsible for acquiring nineteen and three-tenths percent (19.3%) of the total project budget from other sources; and

(viii) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed three hundred ninety-four thousand five hundred sixty dollars ($394,560.00) or thirteen and seven-tenths percent (13.7%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%).

Source notes for subsection (j):(Laws 2006, Ch. 105, § 3; 2008, Ch. 75, § 2.)

(k) Project – Wamsutter Water Supply Rehabilitation:

(i) Project sponsor: Town of Wamsutter;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Relocation and reconstruction of an existing storage tank, construction of a new pump station, transmission pipeline and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Five hundred seventeen thousand dollars ($517,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred fifty-eight thousand five hundred dollars ($258,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two hundred fifty-eight thousand five hundred dollars ($258,500.00) 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, 2010; and

(vii) Special conditions:

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

(B) The sponsor will receive a seventy thousand dollar ($70,000.00) credit, which represents the value of an existing steel tank that has been donated to the town, when computing their required funding match.

Source notes for subsection (k): (Laws 2006, Ch. 105, § 3.)

(m) Project - Wheatland Irrigation District Re-regulation Reservoirs:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: To construct re-regulation reservoirs and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Two hundred twenty-four thousand dollars ($224,000.00);

(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 and engineering design and construction services as supported by vendor invoices and approved by the commission an amount not to exceed one hundred fifty thousand eighty dollars ($150,080.00) or one hundred percent (100%) of the materials and engineering design and construction services cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred fifty thousand eighty dollars ($150,080.00) 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, 2010; and

(vii) Special condition: The sponsor is responsible for acquiring all necessary easements and permits and thirty-three percent (33%) of the total project budget from other sources which shall include all labor and equipment costs associated with completing the project.

Source notes for subsection (m): (Laws 2006, Ch. 105, § 3.)

(n) Project – Worland Eastside Transmission Line:

(i) Project sponsor: The City of Worland;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Replacement of a portion of the city's eastside transmission line and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Five million three hundred thousand dollars ($5,300,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed two million six hundred fifty thousand dollars ($2,650,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million six hundred fifty thousand dollars ($2,650,000.00) 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, 2014; and

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

Source notes for subsection (n): (Laws 2006, Ch. 105, § 3; 2009, Ch. 38, § 2.)

99-3-1105. Level III construction projects – dams and reservoirs.

(a) The provisions of W.S. 99-3-106 apply to this article.

Source notes for subsection (a): (Laws 2006, Ch. 105, § 3.)

(b) Project – Pathfinder Modification Project:

(i) Project sponsor: The State of Wyoming;

(ii) Project purposes: A municipal water supply, a water supply to meet obligations of the state of Wyoming under the Modified North Platte Decree and enhancement of regulatory certainty under the Endangered Species Act for the use of Wyoming water in the Platte River basin;

(iii) Project description: Modification of the spillway of Pathfinder Dam to recover approximately fifty-three thousand four hundred ninety-three (53,493) acre-feet of space that has been lost to sediment accumulation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight million five hundred thousand dollars ($8,500,000.00);

(v) Appropriation: There is appropriated from water development account III to the Wyoming water development office for the permit procurement, construction engineering, and construction of the project an amount not to exceed eight million five hundred thousand dollars ($8,500,000.00) 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 III on July 1, 2012; and

(vi) Special conditions:

(A) The Wyoming water development office is hereby authorized to contract with the United States Bureau of Reclamation for the construction, operation and maintenance of the project. Items to be included in the contract are, but are not limited to:

(I) The partial change of use obtained by the United States Bureau of Reclamation on its water right for the Pathfinder Reservoir for the fifty-three thousand four

hundred ninety-three (53,493) acre-feet of space allocated to the project purposes; and

(II) The legislative authority to deliver water to the Wyoming/Nebraska state line for the purpose of enhancing the regulatory certainty under the Endangered Species Act for the use of Wyoming water in the Platte River basin provided in W.S. 41-2-1301.

(B) The governor shall approve the contract between the United States Bureau of Reclamation and the Wyoming water development office prior to construction of the project;

(C) The Pathfinder Modification Project includes mitigation for fishery impacts and implementation of correction measures to address safety of dam concerns at the various federal dams in the North Platte River Basin;

(D) If the state engineer honors a call for regulation of water rights upstream of Pathfinder Reservoir pursuant to the Nebraska v. Wyoming final settlement stipulation number 108, Original 534 U.S. 40 (2001), the water development office, in consultation with the state engineer, shall report to the governor and select water committee if the call for regulation was caused by the project;

(E) The appropriation under this subsection shall not be encumbered, obligated or expended until all proceedings relating to the change of use of water rights required under subdivision (A)(I) of this paragraph, including any available judicial review of any administrative action authorizing the change of use, have been exhausted. As used in this subparagraph the exhaustion of judicial review shall not be deemed to have occurred until the time has expired when any appeal may be taken from the applicable administrative action, or if an appeal has been taken the appeal has been exhausted and concluded.

Source notes for subsection (b): (Laws 2006, Ch. 105, § 3; 2009, Ch. 38, § 2.)

99-3-1106. Sponsor's contingency funds.

There are created the following sponsor's contingency funds:

(a) Project – Sponsor's Contingency Fund – New Development:

(i) Project sponsor: Any eligible sponsor;

(ii) Project purpose: Multiple purpose water use;

(iii) Project description: The establishment of a fund to provide supplemental funding for sponsors' existing Level III new development construction projects where construction budgets have been rendered insufficient due to inflation, or an unexpected increase in material cost, change in materials or increase in the quantities of materials necessary to complete the final project design;

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

(v) Project grant: The state of Wyoming shall grant to sponsors from water development account I through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed sixty-seven percent (67%) of the difference between the original project budget and the actual cost of construction;

(vi) Project loan: The state of Wyoming shall loan to sponsors from water development account I through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed thirty-three percent (33%) of the difference between the original project budget and the actual cost of construction, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million dollars ($3,000,000.00) 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 I on July 1, 2025; and

(viii) Special condition: The commission is authorized to consider and approve supplemental funding to complete existing water development program Level III construction projects any time during the calendar year.Source notes for subsection (a): (Laws 2006, Ch. 105, § 20; 2010, ch. 68, § 2; 2012, Ch. 14, § 2; 2015, Ch. 167, § 1; 2017, Ch. 75, § 2; 2019, Ch. 55, § 2.)

(b) Project – Sponsor's Contingency Fund-Rehabilitation:

(i) Project sponsor: Any eligible sponsor;

(ii) Project purpose: Variable purpose water supplies;

(iii) Project description: The establishment of a fund to provide supplemental funding for sponsors' existing Level III rehabilitation construction projects where construction budgets have been rendered insufficient due to inflation, or an unexpected increase in material cost, change in materials or increase in the quantities of materials necessary to complete the final project design;

(iv) Total project budget: Two million dollars ($2,000,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors from water development account II through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed sixty-seven percent (67%) of the difference between the original project budget and the actual cost of construction;

(vi) Project loan: The state of Wyoming shall loan to sponsors from water development account II through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed thirty-three percent (33%) of the difference between the original project budget and the actual cost of construction, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission two million dollars ($2,000,000.00) 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 II on July 1, 2025; and

(viii) Special condition: The commission is authorized to consider and approve supplemental funding to complete existing water development program Level III construction projects any time during the calendar year.Source notes for subsection (b): (Laws 2006, Ch. 105, § 20; 2010, ch. 68, § 2; 2012, Ch. 14, § 2; 2015, Ch. 167, § 1; 2017, Ch. 75, § 2; 2019, Ch. 55, § 2.)

99-3-1107. Coalbed natural gas water use task force.

(a) There is created a coalbed natural gas water use task force consisting of fifteen (15) members. The task force members shall select a chairman and a vice-chairman.

(b) Four (4) members of the task force shall be from the following agencies:

(i) One (1) member shall be the director of the department of environmental quality;

(ii) One (1) member shall be the state engineer;

(iii) One (1) member shall be the supervisor of the oil and gas commission; and

(iv) One (1) member shall be the chairman of the Wyoming natural gas pipeline authority.

(c) Seven (7) members of the task force shall be appointed by the governor from the following communities:

(i) Three (3) members from the coalbed natural gas industry;

(ii) Three (3) members from the agricultural community; and

(iii) One (1) member from the public at large.

(d) Four (4) members of the task force shall be legislators, including two (2) members of the senate appointed by the president of the senate and two (2) members of the house of representatives appointed by the speaker of the house.

(e) The task force shall meet at the call of the chairman to review and evaluate alternative uses of water produced as a result of coalbed natural gas operations.

(f) The task force shall issue a report, including reviewing current statutes and regulations and produced water management alternatives and options currently or potentially available to or used by the coalbed natural gas industry, to the governor, the joint agriculture, public lands and water resources interim committee and the joint minerals, business and economic development interim committee to be delivered no later

than December 6, 2006, and a final report to be delivered no later than October 1, 2007.

(g) The task force shall be staffed by the governor's office. The task force may contract for administrative and research services to aid in preparation of the task force report. The governor's office shall convene the task force no later than May 1, 2006.

(h) The task force shall exist until October 30, 2007. Members of the task force who are not legislators shall not receive a salary but shall receive reimbursement for necessary travel and per diem expenses in the manner and amount provided for state employees under W.S. 9-3-102 and 9-3-103. Members of the task force who are legislators shall be paid salary, per diem and travel expenses as provided in W.S. 28-5-101 for their official duties as members of the task force.

(j) There is appropriated two hundred fifty thousand dollars ($250,000.00) from the water development account I to the governor's office for expenses incurred pursuant to this section.

ARTICLE 12 - 2007 CONSTRUCTION PROJECTS

99-3-1201. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2007, Ch. 121, § 1.)

99-3-1202. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2007, Ch. 121, § 1.)

99-3-1203. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2007, Ch. 121, § 1.)

(b) Project – Casper Zone III:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Municipal supply;

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

(iv) Total project budget: Three million two hundred thousand dollars ($3,200,000.00);

(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 construction of the project an amount not to exceed two million one hundred forty-four thousand dollars ($2,144,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one million fifty-six thousand dollars ($1,056,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million two hundred thousand dollars ($3,200,000.00) 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 I on July 1, 2012.

Source notes for subsection (b): (Laws 2007, Ch. 121, § 1.)

(c) Project – Granger Water Storage Project:

(i) Project sponsor: Town of Granger;

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

(iii) Project description: Design and construction of a water storage tank, connecting pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred twenty-nine thousand dollars ($1,529,000.00);

(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 construction of the project an amount not to exceed one million twenty-four thousand four hundred thirty dollars ($1,024,430.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million twenty-four thousand four hundred thirty dollars ($1,024,430.00) 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, 2012;

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

Source notes for subsection (c): (Laws 2007, Ch. 121, § 1.)

(d) Project – Greybull Valley I.D. Hydroelectric Project:

(i) Project sponsor: Greybull Valley Irrigation District;

(ii) Project purpose: Hydropower;

(iii) Project description: Engineering design of hydroelectric facilities at Lower Sunshine Dam;

(iv) Total project budget: One hundred fifty thousand dollars ($150,000.00);

(v) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement of the project an amount not to exceed one hundred fifty thousand dollars ($150,000.00) or one hundred percent (100%) of the actual

engineering costs, whichever is less, for a term of fifty (50) years from the date the commission determines that the engineering design has been completed, at an annual rate of four percent (4%);

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred fifty thousand dollars ($150,000.00) 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, 2014.

Source notes for subsection (d): (Laws 2007, Ch. 121, § 1; 2012, Ch. 14, § 2.)

(e) Project – Lander Paleozoic Well:

(i) Project sponsor: City of Lander;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of transmission pipelines to connect the well drilled during the Level II study to the city's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred fifteen thousand dollars ($715,000.00);

(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 construction of the project an amount not to exceed four hundred seventy-nine thousand fifty dollars ($479,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred thirty-five thousand nine hundred fifty dollars ($235,950.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred fifteen thousand dollars ($715,000.00) 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, 2008.

(viii) Repealed By Laws 2008, Ch. 75, § 4.

Source notes for subsection (e): (Laws 2007, Ch. 121, § 1; 2008, Ch. 75, § 2.)

(f) Project – Northern Arapaho Well and Transmission Project:

(i) Project sponsor: Northern Arapaho Tribe;

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

(iii) Project description: Design and construction of transmission pipelines to connect the well drilled during the Level II study to the Northern Arapaho water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million two hundred thousand dollars ($3,200,000.00);

(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 construction of the project an amount not to exceed two million one hundred forty-four thousand dollars ($2,144,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one million fifty-six thousand dollars ($1,056,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million two hundred thousand dollars ($3,200,000.00) 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 I on July 1, 2008.

(viii) Repealed By Laws 2008, Ch. 75, § 4.

Source notes for subsection (f): (Laws 2007, Ch. 121, § 1; 2008, Ch. 75, § 2.)

(g) Project – Lusk Well:

(i) Project sponsor: Town of Lusk;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a new well and transmission facilities to connect the well to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred fifteen thousand dollars ($415,000.00);

(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 construction of the project an amount not to exceed two hundred seventy-eight thousand fifty dollars ($278,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred thirty-six thousand nine hundred fifty dollars ($136,950.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred fifteen thousand dollars ($415,000.00) 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, 2012.

Source notes for subsection (g): (Laws 2007, Ch. 121, § 1.)

(h) Project – Powell Transmission Pipeline:

(i) Project sponsor: City of Powell;

(ii) Project purpose: Municipal water supply;

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

(iv) Total project budget: Two million five hundred twenty-one thousand dollars ($2,521,000.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed one million six hundred eighty-nine thousand seventy dollars ($1,689,070.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million six hundred eighty-nine thousand seventy dollars ($1,689,070.00) 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, 2012;

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

Source notes for subsection (h): (Laws 2007, Ch. 121, § 1.)

(j) Project – Saratoga Well Field Project:

(i) Project sponsor: Saratoga-Carbon County Impact Joint Powers Board;

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

(iii) Project description: Design and construction of a well-field and pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six million nine hundred fifty thousand dollars ($6,950,000.00);

(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 construction of the project an amount not to exceed four million six hundred fifty-six thousand five hundred dollars ($4,656,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four million six hundred fifty-six thousand five hundred dollars ($4,656,500.00) 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 I on July 1, 2012;

(vii) Special conditions:

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

(B) The sponsor shall purchase the wells drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the wells' actual construction costs. The sponsor may purchase the wells with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (j): (Laws 2007, Ch. 121, § 1; 2008, Ch. 75, § 2.)

(k) Project – Shoshone Well and Transmission Project:

(i) Project sponsor: Eastern Shoshone Tribe;

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

(iii) Project description: Construction of transmission pipelines necessary to connect the well completed during the Level II study to the Shoshone Utilities Organization's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred thousand dollars ($1,100,000.00);

(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 construction of the project an amount not to exceed seven hundred thirty-seven thousand dollars ($737,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed eighty-seven thousand dollars ($87,000.00) for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission eight hundred twenty-four thousand dollars ($824,000.00) 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, 2012;

(viii) Special conditions:

(A) The sponsor shall purchase the well completed during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from

the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%);

(B) The sponsor is responsible for acquiring the balance of the total project budget from other sources;

(C) In the event of a dispute between the contract parties, unexpended funds shall be withheld until the dispute is resolved.

Source notes for subsection (k): (Laws 2007, Ch. 121, § 1.)

(m) Project – Sundance Meadows Water Supply Project:

(i) Project sponsor: Sundance Meadows Water District;

(ii) Project purpose: Rural, domestic water supply;

(iii) Project description: Construction of water transmission facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred ninety-five thousand nine hundred fifty dollars ($495,950.00);

(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, construction engineering, project land procurement, and construction of the project an amount not to exceed three hundred thirty-two thousand two hundred eighty-seven dollars ($332,287.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred thirty-two thousand two hundred eighty-seven dollars ($332,287.00) 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, 2012;

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

Source notes for subsection (m): (Laws 2007, Ch. 121, § 1.)

(n) Project – Sundance Well Project:

(i) Project sponsor: Town of Sundance;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of a new well and transmission facilities to connect the well to the town's water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred eighty-five thousand dollars ($685,000.00);

(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 construction of the project an amount not to exceed four hundred fifty-eight thousand nine hundred fifty dollars ($458,950.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred twenty-six thousand fifty dollars ($226,050.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred eighty-five thousand dollars ($685,000.00) 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, 2014.

Source notes for subsection (n): (Laws 2007, Ch. 121, § 1; 2009, Ch. 38, § 2.)

(o) Project – Alpine Water Supply Project:

(i) Project sponsor: Town of Alpine;

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

(iii) Project description: Drilling a new well and construction of transmission pipelines to the major points of use and to connect the well to the town's water system, and appurtenances necessary for the project to function as intended;

(iv) Total project budget: One million twenty-seven thousand dollars ($1,027,000.00);

(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, construction engineering, and project land procurement of the project an amount not to exceed six hundred eighty-eight thousand ninety dollars ($688,090.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred eighty-eight thousand ninety dollars ($688,090.00) 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, 2012; and

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (o): (Laws 2007, Ch. 121, § 1; 2008, Ch. 75, § 2.)

(p) Project – Glendo Well:

(i) Project sponsor: Town of Glendo;

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

(iii) Project description: Design and construction of transmission pipelines and appurtenances necessary to connect the well drilled during the level II study to the system to make the project function in the manner intended;

(iv) Total project budget: Nine hundred eighty thousand dollars ($980,000.00);

(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, construction engineering, and project land procurement of the project an amount not to exceed six hundred fifty-six thousand six hundred dollars ($656,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed one hundred twenty-three thousand four hundred dollars ($123,400.00) or twelve and six-tenths percent (12.6%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred eighty thousand dollars ($780,000.00) 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, 2013; and

(viii) Special conditions:

(A) The sponsor is responsible for acquiring twenty and four-tenths percent (20.4%) of the total project budget from other sources;

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well’s actual construction costs. The

sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (p): (Laws 2007, Ch. 121, § 1; 2009, Ch. 38, § 2.)

(q) Project – Kirby Municipal Project:

(i) Project sponsor: Town of Kirby;

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

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

(iv) Total project budget: Six hundred eight thousand dollars ($608,000.00);

(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 construction of the project an amount not to exceed four hundred seven thousand three hundred sixty dollars ($407,360.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred thousand six hundred forty dollars ($200,640.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission six hundred eight thousand dollars ($608,000.00) 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, 2012.

Source notes for subsection (q): (Laws 2007, Ch. 121, § 1.)

(r) Project – Sheridan Northwest/Big Goose Tanks Project:

(i) Project sponsor: City of Sheridan;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Construction of water storage tanks and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: Seven million eight hundred fifty-two thousand dollars ($7,852,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed five million two hundred sixty thousand eight hundred forty dollars ($5,260,840.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five million two hundred sixty thousand eight hundred forty dollars ($5,260,840.00) 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, 2014; and

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

Source notes for subsection (r): (Laws 2007, Ch. 121, § 1; 2012, Ch. 14, § 2.)

(s) Project – Wheatland Black Mountain II Water Supply Project:

(i) Project sponsor: Town of Wheatland;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Installation of a pump, pump house, transmission and appurtenances necessary for the project to 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 I through the commission for the design, permit procurement, construction engineering, project land procurement and construction of the project an amount not to exceed two hundred twenty-two thousand four hundred forty dollars ($222,440.00) or sixty seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred twenty-two thousand four hundred forty dollars ($222,440.00) 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, 2012; and

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

Source notes for subsection (s): (Laws 2007, Ch. 121, § 1.)

99-3-1204. 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.

Source notes for subsection (a): (Laws 2007, Ch. 121, § 1.)

(b) Project – Rawlins Treated Water Tank Rehabilitation:

(i) Project sponsor: The City of Rawlins;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and construction of water storage tank rehabilitation measures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million five hundred seventy-nine thousand dollars ($2,579,000.00);

(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 seven hundred twenty-seven thousand nine hundred thirty dollars ($1,727,930.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million seven hundred twenty-seven thousand nine hundred thirty dollars ($1,727,930.00) 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, 2012;

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

Source notes for subsection (b): (Laws 2007, Ch. 121, § 1.)

(c) Project – Cody Canal Phase I Rehab Project:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures to reconstruct siphons, miscellaneous checks, head gates, drop structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million three hundred seventy-five thousand dollars ($1,375,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, and permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed nine hundred twenty-one thousand two hundred fifty dollars ($921,250.00) or

sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, and permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred fifty-three thousand seven hundred fifty dollars ($453,750.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million three hundred seventy-five thousand dollars ($1,375,000.00) 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, 2012.

Source notes for subsection (c): (Laws 2007, Ch. 121, § 1; 2008, Ch. 75, § 2.)

(d) Project – Deaver Flume II Rehabilitation:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Rehabilitation and re-construction of the Frannie flume and other appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred eighty-eight thousand sixty dollars ($688,060.00);

(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 approved by the commission an amount not to exceed four hundred sixty-one thousand dollars ($461,000.00) or one hundred percent (100%) of the materials cost, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred sixty-one

thousand dollars ($461,000.00) 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, 2012;

(vii) Special conditions:

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

(B) The sponsor is responsible for hiring a professional engineering consultant to design the project, compile materials, bidding documents, and monitor construction activities.

Source notes for subsection (d): (Laws 2007, Ch. 121, § 1.)

(e) Project – Heart Mountain Lining Project:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the Buck Springs Siphon and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred seventy-eight thousand dollars ($978,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed six hundred fifty-five thousand two hundred sixty dollars ($655,260.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three

hundred twenty-two thousand seven hundred forty dollars ($322,740.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission nine hundred seventy-eight thousand dollars ($978,000.00) 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, 2012.

Source notes for subsection (e): (Laws 2007, Ch. 121, § 1; 2008, Ch. 75, § 2.)

(f) Project – Midvale Canal Rehabilitation:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for canals 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 purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed two hundred thirty thousand dollars ($230,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Repealed By Laws 2009, Ch. 38, § 3.

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred thirty thousand dollars ($230,000.00) 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, 2013;

(viii) 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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (f): (Laws 2007, Ch. 121, § 1; 2009, Ch. 38, §§ 2, 3.)

(g) Project – Sheridan/Big Goose Slip Lining Project:

(i) Project sponsor: City of Sheridan;

(ii) Project purpose: Municipal water supply;

(iii) Project description: Design and installation of a slip liner in the raw water transmission system that delivers water to the Big Goose Water Treatment Plant and appurtenances necessary for the project to function in the manner intended;

(iv) Total project budget: One million two hundred ninety-four thousand dollars ($1,294,000.00);

(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, construction engineering, project land procurement and construction of the project an amount not to exceed four hundred twenty-seven thousand twenty dollars ($427,020.00) or thirty-three (33%)of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred twenty-seven thousand twenty dollars ($427,020.00) 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, 2012;

(vii) Special condition: The sponsor is responsible for acquiring sixty-seven percent (67%) of the total project budget from other sources.

Source notes for subsection (g): (Laws 2007, Ch. 121, § 1.)

ARTICLE 13 - 2008 CONSTRUCTION PROJECTS

99-3-1301. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2008, Ch. 75, § 1.)

99-3-1302. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2008, Ch. 75, § 1.)

99-3-1303. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2008, Ch. 75, § 1.)

(b) Project – Cowley Transmission Pipeline:

(i) Project sponsor: Town of Cowley;

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

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

(iv) Total project budget: Two million eight hundred sixty-six thousand nine hundred dollars ($2,866,900.00);

(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 construction of the project an amount not to exceed one million nine hundred twenty thousand eight hundred twenty-three dollars ($1,920,823.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million nine hundred twenty thousand eight hundred twenty-three dollars ($1,920,823.00) 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, 2018;

(vii) Special conditions:

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

(B) The sponsor may use an amount not to exceed forty-six thousand nine hundred dollars ($46,900.00) of the project grant for the design of the transmission pipeline that will connect to the Cowley Transmission Pipeline to serve rural domestic customers or sixty-seven percent (67%) of the actual design costs, whichever is less.

Source notes for subsection (b): (Laws 2008, Ch. 75, § 1; 2013, Ch. 141, § 2.)

(c) Project – Gillette Fort Union Wells:

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Six million nine hundred seventy thousand dollars ($6,970,000.00);

(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 construction of the project an amount not to exceed four million six hundred sixty-nine thousand nine hundred dollars ($4,669,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 three hundred thousand one hundred dollars ($2,300,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission six million nine hundred seventy thousand dollars ($6,970,000.00) 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, 2013.

Source notes for subsection (c): (Laws 2008, Ch. 75, § 1.)

(d) Project – Glenrock Well:

(i) Project sponsor: Town of Glenrock;

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

(iii) Project description: Design and construction of pump, motor, controls, piping, control building and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred thousand dollars ($700,000.00);

(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 construction of the project an amount not to exceed four hundred sixty-nine thousand dollars ($469,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 thirty-one thousand dollars ($231,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred thousand dollars ($700,000.00) 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, 2013;

(viii) Special condition: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (d): (Laws 2008, Ch. 75, § 1; 2009, Ch. 38, § 2.)

(e) Project– Greybull Pipeline and Well Improvements:

(i) Project sponsor: Town of Greybull;

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

(iii) Project description: Design and construction of pipeline and well improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million four hundred seventy thousand dollars ($1,470,000.00);

(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 construction of the project an amount not to exceed nine hundred eighty-four thousand nine hundred dollars ($984,900.00) or sixty-seven

percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred eighty-five thousand one hundred dollars ($485,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million four hundred seventy thousand dollars ($1,470,000.00) 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, 2013.

Source notes for subsection (e): (Laws 2008, Ch. 75, § 1.)

(f) Project – Laramie Transmission Pipeline:

(i) Project sponsor: City of Laramie;

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

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

(iv) Total project budget: Ten million eight hundred fifty thousand dollars ($10,850,000.00);

(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 construction an amount not to exceed seven million two hundred sixty-nine thousand five hundred dollars ($7,269,500.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the

commission for the design, permit procurement, project land procurement, construction engineering and construction an amount not to exceed three million five hundred eighty thousand five hundred dollars ($3,580,500.00) or thirty-three percent (33%) of actual costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission ten million eight hundred fifty thousand dollars ($10,850,000.00) 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 I on July 1, 2017.

Source notes for subsection (f): (Laws 2008, Ch. 75, § 1; 2009, Ch. 38, § 2; 2012, Ch. 14, § 2.)

(g) Project – Lovell Transmission Pipelines:

(i) Project sponsor: Town of Lovell;

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

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

(iv) Total project budget: One million nine hundred forty thousand dollars ($1,940,000.00);

(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 construction of the project an amount not to exceed one million two hundred ninety-nine thousand eight hundred dollars ($1,299,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million two hundred ninety-nine thousand eight hundred dollars ($1,299,800.00) 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, 2013;

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

Source notes for subsection (g): (Laws 2008, Ch. 75, § 1.)

99-3-1304. 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.

Source notes for subsection (a): (Laws 2008, Ch. 75, § 1.)

(b) Project – Big Horn Canal Lining:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of improvements to an existing canal and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred thousand dollars ($500,000.00);

(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 three hundred thirty-five thousand dollars ($335,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred sixty-five thousand dollars ($165,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission five hundred thousand dollars ($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, 2013.

Source notes for subsection (b): (Laws 2008, Ch. 75, § 1.)

(c) Project – Casper's Rock Creek Dam Rehabilitation:

(i) Project sponsor: City of Casper;

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

(iii) Project description: Design and construction of dam rehabilitation measures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred forty-five thousand dollars ($1,245,000.00);

(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 eight hundred thirty-four thousand one hundred fifty dollars ($834,150.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred thirty-four thousand one hundred fifty dollars ($834,150.00) 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, 2013;

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

Source notes for subsection (c): (Laws 2008, Ch. 75, § 1.)

(d) Project – Cheyenne's Granite Dam Spillway Improvements:

(i) Project sponsor: City of Cheyenne;

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

(iii) Project description: Design and construction of improvements to the spillway for the Granite Dam and other appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million dollars ($1,000,000.00);

(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 six hundred seventy thousand dollars ($670,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six hundred seventy thousand dollars ($670,000.00) 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, 2013;

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

Source notes for subsection (d): (Laws 2008, Ch. 75, § 1.)

(e) Project – Gooseberry Rehabilitation:

(i) Project sponsor: Gooseberry Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of irrigation system improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred ninety thousand dollars ($1,190,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seven hundred ninety-seven thousand three hundred dollars ($797,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred ninety-two thousand seven hundred dollars ($392,700.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million one hundred ninety thousand dollars ($1,190,000.00) 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, 2013.

Source notes for subsection (e): (Laws 2008, Ch. 75, § 1.)

(f) Project – Heart Mountain Rehabilitation:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred fifty thousand dollars ($2,350,000.00);

(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 approved by the commission an amount not to exceed one million five hundred seventy-four thousand five hundred dollars ($1,574,500.00) or one hundred percent (100%) of the approved material costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million five hundred seventy-four thousand five hundred dollars ($1,574,500.00) 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, 2013;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (f): (Laws 2008, Ch. 75, § 1.)

(g) Project – Sidon Rehabilitation:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of delivery ditch improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred fifty thousand dollars ($550,000.00);

(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 approved by the commission an amount not to

exceed two hundred ninety-five thousand dollars ($295,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Repealed By Laws 2009, Ch. 38, § 3.

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred ninety-five thousand dollars ($295,000.00) 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, 2013;

(viii) 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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (g): (Laws 2008, Ch. 75, § 1; 2009, Ch. 38, §§ 2, 3.)

(h) Project – Taylor Ditch Siphon:

(i) Project sponsor: Taylor Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction to replace an irrigation ditch siphon and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred sixty-seven thousand dollars ($667,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred

forty-six thousand eight hundred ninety dollars ($446,890.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the engineering design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed fifty thousand twenty-five dollars ($50,025.00) or seven and five-tenths percent (7.5%) of actual development costs, whichever is less, for a term of fifteen (15) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission four hundred ninety-six thousand nine hundred fifteen dollars ($496,915.00) 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, 2013;

(viii) Special condition: The sponsor is responsible for acquiring twenty-five and five-tenths percent (25.5%) of the total project budget from other sources.

Source notes for subsection (h): (Laws 2008, Ch. 75, § 1.)

(j) Project Sponsor's Contingency Fund-Rehabilitation:

(i) Project sponsor: Any eligible sponsor;

(ii) Project purpose: Variable purpose water supplies;

(iii) Project description: The establishment of a fund to provide supplemental funding for sponsors' existing Level III rehabilitation construction projects where construction budgets have been rendered insufficient due to inflation, or an unexpected increase in material cost, change in materials or increase in the quantities of materials necessary to complete the final project design;

(iv) Total project budget: Five hundred thousand dollars ($500,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors from water development account II through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed sixty-seven percent (67%) of the difference between the original project budget and the actual cost of construction;

(vi) Project loan: The state of Wyoming shall loan to sponsors from water development account II through the commission sufficient supplemental funds which may be used to complete construction of projects up to an amount not to exceed thirty-three percent (33%) of the difference between the original project budget and the actual cost of construction, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission five hundred thousand dollars ($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, 2017;

(viii) Special condition: The commission is authorized to consider and approve supplemental funding to complete existing water development program Level III construction projects any time during the calendar year.

Source notes for subsection (j): (Laws 2008, Ch. 75, § 1; 2015, Ch. 167, § 1.)

ARTICLE 14 - 2009 CONSTRUCTION PROJECTS

99-3-1401. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2009, Ch. 38, § 1.)

99-3-1402. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2009, Ch. 38, § 1.)

99-3-1403. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2009, Ch. 38, § 1.)

(b) Project – Basin Storage Tank:

(i) Project sponsor: Town of Basin;

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

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

(iv) Total project budget: One million six hundred thirty-four thousand dollars ($1,634,000.00);

(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 construction of the project an amount not to exceed one million ninety-four thousand seven hundred eighty dollars ($1,094,780.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred thirty-nine thousand two hundred twenty dollars ($539,220.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million six hundred thirty-four thousand dollars ($1,634,000.00) 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, 2014.

Source notes for subsection (b): (Laws 2009, Ch. 38, § 1.)

(c) Project – Casper Paradise Valley Pipeline:

(i) Project sponsor: City of Casper;

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

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

(iv) Total project budget: One million seven hundred thousand dollars ($1,700,000.00);

(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 construction of the project an amount not to exceed one million one hundred thirty-nine thousand dollars ($1,139,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million one hundred thirty-nine thousand dollars ($1,139,000.00) 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, 2014;

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

Source notes for subsection (c): (Laws 2009, Ch. 38, § 1.)

(d) Project – Dubois Water Supply:

(i) Project sponsor: Town of Dubois;

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

(iii) Project description: Design and construction of a storage tank, well modifications, pipelines and

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

(iv) Total project budget: Two million one hundred thirty thousand dollars ($2,130,000.00);

(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 construction of the project an amount not to exceed one million four hundred twenty-seven thousand one hundred dollars ($1,427,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 two thousand nine hundred dollars ($702,900.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission two million one hundred thirty thousand dollars ($2,130,000.00) 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, 2014.

Source notes for subsection (d): (Laws 2009, Ch. 38, § 1.)

(e) Project – Hudson Water Supply:

(i) Project sponsor: Town of Hudson;

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

(iii) Project description: Design and construction of a storage tank, well field, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million five hundred twenty thousand dollars ($1,520,000.00);

(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 construction of the project an amount not to exceed one million eighteen thousand four hundred dollars ($1,018,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred one thousand six hundred dollars ($501,600.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million five hundred twenty thousand dollars ($1,520,000.00) 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, 2014.

Source notes for subsection (e): (Laws 2009, Ch. 38, § 1.)

(f) Project – Laramie County Archer Water Supply:

(i) Project sponsor: Laramie County;

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

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

(iv) Total project budget: Three hundred thousand dollars ($300,000.00);

(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 construction of the project an amount not to exceed two hundred one thousand dollars ($201,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred one thousand dollars ($201,000.00) 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, 2012;

(vii) Special conditions:

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

(B) The sponsor shall purchase the wells drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the wells' actual construction costs. The sponsor shall purchase the wells with a lump sum payment.

Source notes for subsection (f): (Laws 2009, Ch. 38, § 1.)

(g) Project – Mile-Hi Water Supply:

(i) Project sponsor: Mile-Hi Improvement and service district;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: One million two hundred sixteen thousand dollars ($1,216,000.00);

(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 construction of the project an amount not to exceed eight hundred fourteen thousand seven hundred twenty dollars ($814,720.00) or sixty-seven

percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 six hundred forty dollars ($200,640.00) or sixteen and one-half percent (16.5%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million fifteen thousand three hundred sixty dollars ($1,015,360.00) 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, 2014;

(viii) Special condition: The sponsor is responsible for acquiring sixteen and one-half percent (16.5%) of the total project budget from other sources.

Source notes for subsection (g): (Laws 2009, Ch. 38, § 1.)

(h) Project – Pine Bluffs Deep Well 2009:

(i) Project sponsor: Town of Pine Bluffs;

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

(iii) Project description: Design and construction of a groundwater well, pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred seventy-one thousand dollars ($871,000.00);

(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 construction of the project an amount not to exceed five hundred eighty-three thousand five hundred seventy dollars ($583,570.00) or sixty-

seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred eighty-three thousand five hundred seventy dollars ($583,570.00) 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, 2014;

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

Source notes for subsection (h): (Laws 2009, Ch. 38, § 1.)

(j) Project – Pinedale Pipelines-Phase I:

(i) Project sponsor: Town of Pinedale;

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

(iii) Project description: Design, permit procurement, project land procurement, construction engineering and construction of two (2) transmission pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eleven million four hundred seventy thousand dollars ($11,470,000.00);

(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 construction of the project an amount not to exceed seven million six hundred eighty-four thousand nine hundred dollars ($7,684,900.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three million seven hundred eighty-five thousand one hundred dollars ($3,785,100.00) or

thirty-three percent (33%) of the actual costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission eleven million four hundred seventy thousand dollars ($11,470,000.00) 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, 2014.

Source notes for subsection (j): (Laws 2009, Ch. 38, § 1; 2010, ch. 68, § 2.)

(k) Project – Rawlins Atlantic Rim Pipeline:

(i) Project sponsor: City of Rawlins;

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

(iii) Project description: Design and construction of a transmission pipeline, pump station, outlet works improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million nine hundred thousand dollars ($3,900,000.00);

(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 construction for the project an amount not to exceed two million six hundred thirteen thousand dollars ($2,613,000.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction for the project an amount not to exceed one million two hundred eighty-seven thousand dollars ($1,287,000.00) or thirty-three percent (33%) of the actual costs, whichever is less, for a term of thirty (30) years from the date the commission determines

project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million nine hundred thousand dollars ($3,900.000.00) 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, 2014.

Source notes for subsection (k): (Laws 2009, Ch. 38, § 1; 2010, ch. 68, § 2.)

(m) Project – Riverton Water Supply:

(i) Project sponsor: City of Riverton;

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

(iii) Project description: Design and construction of a storage tank, transmission pipelines, pump stations, well connection and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Twelve million eight hundred thousand dollars ($12,800,000.00);

(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 construction for the project an amount not to exceed eight million five hundred seventy-six thousand dollars ($8,576,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction for the project an amount not to exceed one million two hundred eighty thousand dollars ($1,280,000.00) or ten percent (10%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission nine million eight hundred fifty-six thousand dollars ($9,856,000.00) 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, 2020;

(viii) Special conditions:

(A) The sponsor is responsible for acquiring twenty-three percent (23%) of the total project budget from other sources;

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).Source notes for subsection (m): (Laws 2009, Ch. 38, § 1; 2010, ch. 68, § 2; 2014, Ch. 100, § 2; 2015, Ch. 23, § 2; 2017, Ch. 75, § 2.)

(n) Project – Shoshone Municipal Pipeline-2009:

(i) Project sponsor: Shoshone Municipal Water Supply Joint Powers Board;

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

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

(iv) Total project budget: Seven million three hundred sixty thousand dollars ($7,360,000.00);

(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 construction of the project an amount not to exceed two million four hundred twenty-eight thousand eight hundred dollars ($2,428,800.00) or thirty-three percent (33%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million four hundred twenty-eight thousand eight hundred dollars ($2,428,800.00) 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, 2014;

(vii) Special condition: The sponsor is responsible for acquiring sixty-seven percent (67%) of the total project budget from other sources.

Source notes for subsection (n): (Laws 2009, Ch. 38, § 1.)

(o) Project – Star Valley Ranch Water Supply:

(i) Project sponsor: Town of Star Valley Ranch;

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

(iii) Project description: Design and construction of a storage tank, well, well connections, pipelines, pump stations, spring development, purchase of a storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million nine hundred ninety-five thousand dollars ($4,995,000.00);

(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 construction of the project an amount not to exceed three million three hundred forty-six thousand six hundred fifty dollars ($3,346,650.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 six hundred forty-eight thousand three hundred fifty dollars ($1,648,350.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date

the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four million nine hundred ninety-five thousand dollars ($4,995,000.00) 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, 2014;

(viii) Special condition: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (o): (Laws 2009, Ch. 38, § 1; 2010, ch. 68, § 2.)

(p) Project – Teton Village Water Supply:

(i) Project sponsor: Teton Village Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: One hundred six thousand dollars ($106,000.00);

(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 construction of the project an amount not to exceed twenty-six thousand five hundred dollars ($26,500.00) or twenty-five percent (25%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land

procurement, construction engineering and construction of the project an amount not to exceed twenty-six thousand five hundred dollars ($26,500.00) or twenty-five percent (25%) of the actual development costs, whichever is less, for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission fifty-three thousand dollars ($53,000.00) 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, 2012;

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

Source notes for subsection (p): (Laws 2009, Ch. 38, § 1; 2012, Ch. 14, § 2.)

(q) Project – Upton Well:

(i) Project sponsor: Town of Upton;

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

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

(iv) Total project budget: Three hundred ninety-five thousand dollars ($395,000.00);

(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 construction of the project an amount not to exceed two hundred sixty-four thousand six hundred fifty dollars ($264,650.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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

project an amount not to exceed one hundred thirty thousand three hundred fifty dollars ($130,350.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred ninety-five thousand dollars ($395,000.00) 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, 2016.

Source notes for subsection (q): (Laws 2009, Ch. 38, § 1; 2014, Ch. 100, § 2; 2015, Ch. 23, § 2.)

(r) Project – Wamsutter Well:

(i) Project sponsor: Town of Wamsutter;

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

(iii) Project description: Purchase of an existing well, design and construction of a well connection, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred ten thousand dollars ($810,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the purchase of a well, design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred forty-two thousand seven hundred dollars ($542,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred forty-two thousand seven hundred dollars ($542,700.00) 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, 2014;

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

Source notes for subsection (r): (Laws 2009, Ch. 38, § 1.)

99-3-1404. 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.

Source notes for subsection (a): (Laws 2009, Ch. 38, § 1.)

(b) Project – Big Horn Canal Rehabilitation 2009:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of improvements to an existing headgate and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred eighty thousand dollars ($1,180,000.00);

(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 ninety thousand six hundred dollars ($790,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 three hundred eighty-nine thousand four hundred dollars ($389,400.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission

determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million one hundred eighty thousand dollars ($1,180,000.00) 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, 2014.

Source notes for subsection (b): (Laws 2009, Ch. 38, § 1; 2010, ch. 68, § 2.)

(c) Project – Casper Alcova Rehabilitation 2009:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred seventy-six thousand dollars ($276,000.00);

(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 one hundred eighty-four thousand nine hundred twenty dollars ($184,920.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred eighty-four thousand nine hundred twenty dollars ($184,920.00) 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, 2014;

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

Source notes for subsection (c): (Laws 2009, Ch. 38, § 1.)

(d) Project – Deaver Rehabilitation 2009:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million eight hundred twenty-three thousand dollars ($1,823,000.00);

(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 approved by the commission an amount not to exceed one million twenty-three thousand dollars ($1,023,000.00) 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 twenty-three thousand dollars ($1,023,000.00) 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, 2017;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (d): (Laws 2009, Ch. 38, § 1; 2011, Ch. 63, § 2; 2015, Ch. 23, § 2.)

(e) Project – Eden Valley Rehabilitation 2009:

(i) Project sponsor: Eden Valley Irrigation and Drainage District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Fourteen million three hundred sixty thousand dollars ($14,360,000.00);

(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 million nine hundred seven thousand dollars ($7,907,000.00) or fifty-five and seven hundredths percent (55.07%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven million nine hundred seven thousand dollars ($7,907,000.00) 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, 2018;

(vii) Special condition: The sponsor is responsible for acquiring forty-four and ninety-three hundredths percent (44.93%) of the total project budget from other sources.

Source notes for subsection (e): (Laws 2009, Ch. 38, § 1; 2013, Ch. 141, § 2.)

(f) Project – Goshen Rehabilitation 2009:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million two hundred sixteen thousand dollars ($3,216,000.00);

(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 approved by the commission an amount not to exceed one million two hundred thousand dollars ($1,200,000.00) 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 two hundred thousand dollars ($1,200,000.00) 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, 2014;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (f): (Laws 2009, Ch. 38, § 1.)

(g) Project – GVID Upper Sunshine Diversion-Phase I:

(i) Project sponsor: Greybull Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Three million nine hundred thousand dollars ($3,900,000.00);

(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 an amount not to exceed two million six hundred thirteen thousand dollars ($2,613,000.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, and project land procurement, construction engineering and construction an amount not to exceed one million two hundred eighty-seven thousand dollars ($1,287,000.00) or thirty-three percent (33%) of actual costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission three million nine hundred thousand dollars ($3,900,000.00) 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, 2015.

Source notes for subsection (g): (Laws 2009, Ch. 38, § 1; 2011, Ch. 63, § 2.)

(h) Project – Lovell Rehabilitation 2009:

(i) Project sponsor: Lovell Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred thirty-four thousand dollars ($634,000.00);

(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 approved by the commission an amount not to

exceed four hundred thirty-two thousand dollars ($432,000.00) 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 four hundred thirty-two thousand dollars ($432,000.00) 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, 2014;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (h): (Laws 2009, Ch. 38, § 1.)

(j) Project – Riverton Valley Rehabilitation 2009:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred twenty thousand dollars ($120,000.00);

(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 approved by the commission an amount not to exceed seventy-nine thousand dollars ($79,000.00) 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 seventy-nine thousand dollars ($79,000.00) 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, 2014;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (j): (Laws 2009, Ch. 38, § 1.)

(k) Project – Shoshone Rehabilitation 2009:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred fifty-nine thousand dollars ($759,000.00);

(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 approved by the commission an amount not to exceed three hundred thirty-nine thousand dollars ($339,000.00) 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 three hundred thirty-nine thousand dollars ($339,000.00) 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, 2014;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (k): (Laws 2009, Ch. 38, § 1.)

(m) Project – Willwood Rehabilitation 2009:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred eighty thousand dollars ($480,000.00);

(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 approved by the commission an amount not to exceed two hundred eighty-four thousand dollars ($284,000.00) 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 two hundred eighty-four thousand dollars ($284,000.00) 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, 2014;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (m): (Laws 2009, Ch. 38, § 1.)

(n) Project – Riverton Valley Pipeline Relocation:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of a pipeline relocation;

(iv) Total project budget: One million three hundred thousand dollars ($1,300,000.00);

(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 approved by the commission an amount not to exceed five hundred twenty-five thousand dollars ($525,000.00) or eighty-seven and one-half percent (87.5%) of the approved materials costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed seventy-five thousand dollars ($75,000.00) or twelve and one-half percent (12.5%) of the approved material costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission six hundred

thousand dollars ($600,000.00) 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, 2014;

(viii) 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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (n): (Laws 2009, Ch. 38, § 1.)

99-3-1405. Gillette Madison pipeline project; definitions; description; purposes; authorization; finances; conditions.

(a) As used in this section:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the city of Gillette, Wyoming;

(iii) "Project" means the Gillette Madison pipeline project as described in subsection (b) of this section;

(iv) "Account" means the Gillette Madison pipeline account into which all funds appropriated by this section shall be deposited. Funds in the account shall be reserved for the project. All unexpended funds appropriated by this section shall be transferred to the account.

Source notes for subsection (a): (Laws 2009, Ch. 103, § 1; 2011, Ch. 61 § 1.)

Source notes for subsection (a): (Laws 2009, Ch. 103, § 1;.)

(b) Description: Design, groundwater exploration and drilling, permit procurement, project land procurement, construction engineering and construction of municipal wells,

transmission pipelines, pump stations and appurtenances necessary to make the project function in the manner intended.

Source notes for subsection (b): (Laws 2009, Ch. 103, § 1.)

(c) Purposes: The designated project purposes are municipal and rural domestic water supply.

Source notes for subsection (c): (Laws 2009, Ch. 103, § 1.)

(d) General authorization: The following shall apply:

(i) The commission shall contract with the sponsor for the design, groundwater exploration and drilling, permit procurement and project land procurement for the project in a manner consistent with this section and to administer the contract on behalf of the state of Wyoming;

(ii) Upon execution of the contract outlined in paragraph (i) of this subsection, the sponsor may complete design, groundwater exploration and drilling, permit procurement and project land procurement for the project in a manner consistent with the terms and conditions outlined in the contract.

Source notes for subsection (d): (Laws 2009, Ch. 103, § 1.)

(e) 2009 Project financing: The following shall apply:

(i) 2009 Project budget:

(A) Total project budget: Two hundred seventeen million six hundred thousand dollars ($217,600,000.00);

(B) Partial budget authorized by this section: Sixteen million seven hundred fifty thousand dollars ($16,750,000.00).

(ii) 2009 Project grant: The state of Wyoming shall grant to the sponsor from the budget reserve account through the commission for the design, groundwater exploration and drilling, permit procurement and project land procurement for the project an amount not to exceed eleven million two hundred twenty-two thousand five hundred dollars ($11,222,500.00) or sixty-seven percent (67%) of the actual costs, whichever is less;

(iii) 2009 Project loan: The state of Wyoming shall loan to the sponsor from the permanent Wyoming mineral trust fund through the commission for the design, groundwater exploration and drilling, permit procurement and project land procurement for the project an amount not to exceed five million five hundred twenty-seven thousand five hundred dollars ($5,527,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(iv) 2009 Appropriations and funding:

(A) There is appropriated from the budget reserve account to the commission eleven million two hundred twenty-two thousand five hundred dollars ($11,222,500.00) or as much thereof as is necessary to carry out the purpose of this section. Unexpended funds appropriated under this subparagraph shall revert to budget reserve account on July 1, 2015;

(B) The state treasurer shall make available from the permanent Wyoming mineral trust fund to the commission five million five hundred twenty-seven thousand five hundred dollars ($5,527,500.00) or as much thereof as is necessary to carry out the purpose of this section.

Source notes for subsection (e): (Laws 2009, Ch. 103, § 1; 2010, Ch. 115, § 1; 2011, Ch. 61, § 1.)

(f) General conditions: The following shall apply:

(i) Except as otherwise specifically provided, the project identified in this section shall be subject to the following general conditions:

(A) The sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(B) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(C) The sponsor shall establish a sinking fund for repair and maintenance of the project as deemed appropriate by the commission;

(D) The sponsor shall supervise the design and construction of the project and submit all requests for payment to the commission for approval;

(E) The sponsor shall not make any construction funding commitment until after the commission has reviewed and approved the construction budgets and construction plans;

(F) The commission shall make payments directly to the sponsor;

(G) The sponsor shall be responsible for operation and maintenance of the project;

(H) The sponsor shall be responsible for all project expenditures in excess of the total project appropriation;

(J) If the commission determines that the sponsor has, without good cause, abandoned completion of the project, the sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state auditor in an amount equal to the interest that would have accrued on the expended grant funds in the account from the date of expenditure;

(K) Repayments of principal on the loan shall be deposited in the permanent Wyoming mineral trust fund and interest payments made in repayment of loans shall be deposited into the general fund;

(M) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project grant;

(N) There shall be no lease, sale, assignment or transfer of ownership of the project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(O) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in subparagraphs (K) and (M) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state auditor;

(P) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in the account.

Source notes for subsection (f): (Laws 2009, Ch. 103, § 1; 2011, Ch. 61, § 1.)

(g) General authorization: The following shall apply:

(i) The commission shall contract with the sponsor for the construction engineering and construction of the project in a manner consistent with this section and to administer the contract on behalf of the state of Wyoming;

(ii) Upon execution of the contract outlined in paragraph (i) of this subsection, the sponsor may complete construction engineering and construction for the project in a manner consistent with the terms and conditions outlined in the contract.

Source notes for subsection (g): (Laws 2010, Ch. 115, § 1; 2011, Ch. 61, § 1.)

(h) 2010 Project financing: The following shall apply:

(i) 2010 Project budget:

(A) Total project budget: Two hundred seventeen million six hundred thousand dollars ($217,600,000.00);

(B) Partial budget authorized by this section: Twenty-four million five hundred thousand dollars ($24,500,000.00).

(ii) 2010 Project grant: The state of Wyoming shall grant to the sponsor from water development account III through the commission for the construction engineering and construction for the project an amount not to exceed sixteen million four hundred fifteen thousand dollars ($16,415,000.00);

(iii) 2010 Project loan: The state of Wyoming shall loan to the sponsor from the permanent Wyoming mineral trust fund through the commission for the construction engineering and construction for the project an amount not to exceed eight million eighty-five thousand dollars ($8,085,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(iv) 2010 Appropriations and funding:

(A) There is appropriated from water development account III to the commission sixteen million four hundred fifteen thousand dollars ($16,415,000.00) or as much thereof as is necessary to carry out the purpose of this section. From available surplus funds, the governor shall make a recommendation in the supplemental budget request to reimburse water development account III for any amount expended from that account for this project;

(B) The state treasurer shall make available from the permanent Wyoming mineral trust fund to the commission eight million eighty-five thousand dollars ($8,085,000.00) or as much thereof as is necessary to carry out the purpose of this section.

Source notes for subsection (h): (Laws 2010, Ch. 115, § 1; 2011, Ch. 61, § 1.)

(j) 2011 Project financing: The following shall apply:

(i) 2011 Project grant: The state of Wyoming shall grant to the sponsor from the account through the commission for the construction of the project an amount not to exceed six million nine hundred sixty thousand four hundred thirty dollars ($6,960,430.00);

(ii) 2011 Budget appropriation: The 2011 supplemental budget authorized a separate grant to the commission for the construction of the project from the state of Wyoming's share of abandoned mine land funds from the Surface Mining Control and Reclamation Act Amendments of 2006, section 411(h)(i) pursuant to 2007 H.R. 6111 in the amount of twenty-five million four hundred two thousand seventy dollars ($25,402,070.00) which shall be expended for the construction of the project;

(iii) 2011 Project loan: The state of Wyoming shall loan to the sponsor from the permanent Wyoming mineral trust fund through the commission for the construction of the project an amount not to exceed fifteen million nine hundred thirty-nine thousand seven hundred thirty-nine dollars ($15,939,739.00), for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(iv) 2011 Appropriations and funding:

(A) There is appropriated from the general fund to the account for the commission six million nine hundred sixty thousand four hundred thirty dollars ($6,960,430.00) to carry out the purposes of this section. Unexpended funds appropriated under this subparagraph shall revert to the budget reserve account on July 1, 2017;

(B) The state treasurer shall make available from the permanent Wyoming mineral trust fund to the commission fifteen million nine hundred thirty-nine thousand seven hundred thirty-nine dollars ($15,939,739.00) or as much thereof as is necessary to carry out the purposes of this section.

Source notes for subsection (j): (Laws 2011, Ch. 61, § 1.)

(k) Continuing funding for fiscal years 2012-2014:

(i) Additional project grants: From available surplus funds, the governor shall make a recommendation for the following funding levels for the project:

(A) For fiscal year 2012 project grant: Thirty million dollars ($30,000,000.00);

(B) For fiscal year 2013 project grant: Thirty million dollars ($30,000,000.00);

(C) For fiscal year 2014 project grant: Twenty-five million seven hundred ninety-two thousand dollars ($25,792,000.00).

(ii) Additional project loans: In the event that the legislature appropriates the project grant amounts set forth in paragraph (i) of this subsection from any source, the state of Wyoming shall loan to the sponsor from the permanent Wyoming mineral trust fund through the commission for the construction of the project the following loans, each for a term of five (5) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%):

(A) For fiscal year 2012 project loan: Fourteen million seven hundred seventy-six thousand one hundred nineteen dollars ($14,776,119.00);

(B) For fiscal year 2013 project loan: Fourteen million seven hundred seventy-six thousand one hundred nineteen dollars ($14,776,119.00);

(C) For fiscal year 2014 project loan: Twelve million seven hundred three thousand five hundred twenty-two dollars ($12,703,522.00).

Source notes for subsection (k): (Laws 2011, Ch. 61, § 1.)

ARTICLE 15 - 2010 CONSTRUCTION PROJECTS

99-3-1501. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2010, Ch. 68, § 1.)

99-3-1502. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2010, Ch. 68, § 1.)

99-3-1503. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2010, Ch. 68, § 1.)

(b) Project – Arapahoe Water Supply:

(i) Project sponsor: Northern Arapaho Tribe;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred seventy-five thousand dollars ($575,000.00);

(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 construction of the project an amount not to exceed three hundred eighty-five thousand two hundred fifty dollars ($385,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred eighty-five thousand two hundred fifty dollars ($385,250.00) 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, 2015;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment. The sponsor shall make the payment described herein prior to the commencement of the project. The payment shall be deposited by the commission into water development account I.

Source notes for subsection (b): (Laws 2010, Ch. 68, § 1.)

(c) Project – Buffalo Pipeline:

(i) Project sponsor: Town of Buffalo;

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

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

(iv) Total project budget: One million one hundred eighty-two thousand dollars ($1,182,000.00);

(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 construction of the project an amount not to exceed seven hundred ninety-one thousand nine hundred forty dollars ($791,940.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred ninety thousand sixty dollars ($390,060.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million one hundred eighty-two thousand dollars ($1,182,000.00) 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, 2015.

Source notes for subsection (c): (Laws 2010, Ch. 68, § 1.)

(d) Project – Burns Storage Tank:

(i) Project sponsor: Town of Burns;

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

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

(iv) Total project budget: Nine hundred thirty thousand dollars ($930,000.00);

(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 construction of the project an amount not to exceed six hundred twenty-three thousand one hundred dollars ($623,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred six thousand nine hundred dollars ($306,900.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission nine hundred thirty thousand dollars ($930,000.00) 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, 2015.

Source notes for subsection (d): (Laws 2010, Ch. 68, § 1.)

(e) Project – Casper Zone IV Improvements:

(i) Project sponsor: City of Casper;

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

(iii) Project description: Design and construction of a transmission pipeline, storage tank improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred ninety thousand dollars ($990,000.00);

(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 construction of the project an amount not to exceed six hundred sixty-three thousand three hundred dollars ($663,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred sixty-three thousand three hundred dollars ($663,300.00) 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, 2015;

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

Source notes for subsection (e): (Laws 2010, Ch. 68, § 1.)

(f) Project – Cook Road Well:

(i) Project sponsor: Cook Road Water District;

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

(iii) Project description: Design and construction of a groundwater well, connection of the well to the existing water supply system, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred ninety thousand dollars ($1,290,000.00);

(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 construction of the project an amount not to exceed eight hundred sixty-four thousand three hundred dollars ($864,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred twenty-five thousand seven hundred dollars ($425,700.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million two hundred ninety thousand dollars ($1,290,000.00) 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, 2015.

Source notes for subsection (f): (Laws 2010, Ch. 68, § 1.)

(g) Project – Ethete Water Supply:

(i) Project sponsor: Northern Arapaho Tribe;

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

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

(iv) Total project budget: Four million dollars ($4,000,000.00);

(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 construction of the project an amount not to exceed two million dollars ($2,000,000.00) 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 two million dollars ($2,000,000.00) 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 I on July 1, 2021;

(vii) Special condition: The sponsor is responsible for acquiring fifty percent (50%) of the total project budget from other sources.Source notes for subsection (g): (Laws 2010, Ch. 68, § 1; 2015, Ch. 23, § 2; 2018, Ch. 121, § 2.)

(h) Project – Farview Water Supply:

(i) Project sponsor: Farview Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred thousand dollars ($100,000.00);

(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 construction of the project an amount not to exceed sixty-seven thousand dollars

($67,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed thirty-three thousand dollars ($33,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred thousand dollars ($100,000.00) 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, 2015;

(viii) Special conditions: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (h): (Laws 2010, Ch. 68, § 1.)

(j) Project – Jackson Storage Tanks:

(i) Project sponsor: Town of Jackson;

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

(iii) Project description: Design and construction of two (2) storage tanks, connections for the tanks to the existing water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million dollars ($4,000,000.00);

(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 construction of the project an amount not to exceed two million six hundred eighty thousand dollars ($2,680,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 three hundred twenty thousand dollars ($1,320,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four million dollars ($4,000,000.00) 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 I on July 1, 2015.

Source notes for subsection (j): (Laws 2010, Ch. 68, § 1.)

(k) Project – Owl Creek Water Supply:

(i) Project sponsor: Owl Creek Rural Water District;

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

(iii) Project description: Design and construction of transmission pipelines, pump stations, connection to the Town of Thermopolis's water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million seven hundred fifty thousand dollars ($4,750,000.00);

(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 construction of the

project an amount not to exceed three million one hundred eighty-two thousand five hundred dollars ($3,182,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million one hundred eighty-two thousand five hundred dollars ($3,182,500.00) 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 I on July 1, 2015;

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

Source notes for subsection (k): (Laws 2010, Ch. 68, § 1.)

(m) Project – South Laramie Water Supply:

(i) Project sponsor: City of Laramie;

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

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

(iv) Total project budget: Four million fifty thousand dollars ($4,050,000.00);

(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 construction of the project an amount not to exceed two million six hundred thirty-eight thousand one hundred seventy dollars ($2,638,170.00) or sixty-five and fourteen hundredths percent (65.14%) of the actual development costs, whichever is less;

(vi) Repealed By Laws 2012, Ch. 14, § 3.

(vii) Appropriation: There is appropriated from water development account I to the commission two million six hundred thirty-eight thousand one hundred seventy dollars

($2,638,170.00) 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, 2017;

(viii) Special condition: The sponsor is responsible for acquiring thirty-four and eighty-six hundredths percent (34.86%) of the total project budget from other sources.

Source notes for subsection (m): (Laws 2010, Ch. 68, § 1; 2012, Ch. 14, § 2.)

(n) Project – South Thermopolis Water Supply:

(i) Project sponsor: South Thermopolis Water and Sewer Water District;

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

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

(iv) Total project budget: Four million three hundred seventy-three thousand two hundred sixty-seven dollars ($4,373,267.00);

(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 construction of the project an amount not to exceed two million three hundred eighteen thousand two hundred dollars ($2,318,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million three hundred eighteen thousand two hundred dollars ($2,318,200.00) 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, 2017;

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

Source notes for subsection (n): (Laws 2010, Ch. 68, § 1; 2015, Ch. 23, § 2.)

(o) Project – Wamsutter Well 2010:

(i) Project sponsor: Town of Wamsutter;

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

(iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred thirty thousand dollars ($1,130,000.00);

(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 construction of the project an amount not to exceed seven hundred fifty-seven thousand one hundred dollars ($757,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred fifty-seven thousand one hundred dollars ($757,100.00) 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, 2015;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment. The sponsor shall make the payment described herein prior to the

commencement of the project. The payment shall be deposited by the commission into water development account I.

Source notes for subsection (o): (Laws 2010, Ch. 68, § 1.)

99-3-1504. 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.

Source notes for subsection (a): (Laws 2010, Ch. 68, § 1.)

(b) Project – Casper Alcova Rehabilitation 2010:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

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

(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 four hundred seventy-seven thousand forty dollars ($477,040.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred seventy-seven thousand forty dollars ($477,040.00) 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, 2015;

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

Source notes for subsection (b): (Laws 2010, Ch. 68, § 1.)

(c) Project – Heart Mountain Rehabilitation 2010:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million three hundred ten thousand dollars ($3,310,000.00);

(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 approved by the commission an amount not to exceed one million nine hundred ninety thousand dollars ($1,990,000.00) 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 nine hundred ninety thousand dollars ($1,990,000.00) 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, 2017;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (c): (Laws 2010, Ch. 68, § 1; 2012, Ch. 14, § 2; 2014, Ch. 100, § 2.)

(d) Project – Little Snake Diversions:

(i) Project sponsor: Savery-Little Snake Conservancy District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two million three hundred thirteen thousand five hundred dollars ($2,313,500.00);

(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 fifty thousand forty-five dollars ($1,550,045.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 sixty-three thousand four hundred fifty-five dollars ($763,455.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission two million three hundred thirteen thousand five hundred dollars ($2,313,500.00) 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, 2017.

Source notes for subsection (d): (Laws 2010, Ch. 68, § 1; 2012, Ch. 14, § 2.)

(e) Project – Midvale Rehabilitation 2010:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred seventy thousand dollars ($470,000.00);

(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 approved by the commission an amount not to exceed two hundred sixty-three thousand dollars ($263,000.00) 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 two hundred sixty-three thousand dollars ($263,000.00) 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, 2015;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (e): (Laws 2010, Ch. 68, § 1.)

(f) Project – Rawlins Atlantic Rim Reservoir:

(i) Project sponsor: City of Rawlins;

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

(iii) Project description: Design and construction of improvements to Atlantic Rim Reservoir and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six million six hundred thousand dollars ($6,600,000.00);

(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 four million four hundred twenty-two thousand dollars ($4,422,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 one hundred seventy-eight thousand dollars ($2,178,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission six million six hundred thousand dollars ($6,600,000.00) 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, 2015.

Source notes for subsection (f): (Laws 2010, Ch. 68, § 1; 2011, Ch. 63, § 2.)

(g) Project – Willwood Rehabilitation 2010:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and

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

(iv) Total project budget: Two million seven hundred thirty thousand dollars ($2,730,000.00);

(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 approved by the commission an amount not to exceed one million five hundred thousand dollars ($1,500,000.00) 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 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, 2015;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (g): (Laws 2010, Ch. 68, § 1; 2011, Ch. 63, § 2.)

ARTICLE 16 - 2011 CONSTRUCTION PROJECTS

99-3-1601. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2011, Ch. 63, § 1.)

99-3-1602. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2011, Ch. 63, § 1.)

99-3-1603. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2011, Ch. 63, § 1.)

(b) Project – 33 Mile Pump Station:

(i) Project sponsor: 33 Mile Road Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: One hundred eighty-eight thousand dollars ($188,000.00);

(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 construction of the project an amount not to exceed one hundred twenty-five thousand nine hundred sixty dollars ($125,960.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred twenty-five thousand nine hundred sixty dollars ($125,960.00) 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, 2016;

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

Source notes for subsection (b): (Laws 2011, Ch. 63, § 1.)

(c) Project – Central Wyoming Regional Zone IIB:

(i) Project sponsor: Central Wyoming Regional Water System Joint Powers Board;

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

(iii) Project description: Design and construction of a pump station, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million nine hundred twenty-five thousand dollars ($2,925,000.00);

(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 construction of the project an amount not to exceed one million nine hundred fifty-nine thousand seven hundred fifty dollars ($1,959,750.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million nine hundred fifty-nine thousand seven hundred fifty dollars ($1,959,750.00) 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, 2016;

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

Source notes for subsection (c): (Laws 2011, Ch. 63, § 1.)

(d) Project – Cheyenne Southern Pipeline:

(i) Project sponsor: City of Cheyenne;

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

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

(iv) Total project budget: Thirty-one million fifty thousand dollars ($31,050,000.00. The sponsor shall fund one hundred percent (100%) of all project costs over twenty-seven million three hundred thousand dollars ($27,300,000.00);

(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 construction of the project an amount not to exceed eighteen million two hundred ninety-one thousand dollars ($18,291,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission eighteen million two hundred ninety-one thousand dollars ($18,291,000.00) 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, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the project budget up to a project cost of twenty-seven million three hundred thousand dollars ($27,300,000.00) and one hundred percent (100%) of any project costs exceeding twenty-seven million three hundred thousand dollars ($27,300,000.00) from other sources.

Source notes for subsection (d): (Laws 2011, Ch. 63, § 1; 2013, Ch. 141, § 2; 2014, Ch. 100, § 2.)

(e) Project – Douglas Box Elder Spring:

(i) Project sponsor: City of Douglas;

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

(iii) Project description: Design and construction of improvements to the Box Elder Spring water supply, a transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Fourteen million one hundred thousand dollars ($14,100,000.00);

(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 construction of the spring improvements and design, permit procurement, land procurement, construction engineering and construction for the transmission pipeline an amount not to exceed nine million four hundred forty-seven thousand dollars ($9,447,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission nine million four hundred forty-seven thousand dollars ($9,447,000.00) 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, 2021;

(vii) Special condition: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.Source notes for subsection (e): (Laws 2011, Ch. 63, § 1; 2016, Ch. 55, §2; 2018, Ch. 121, § 2.)

(f) Project – GR/RS/SC Raw Water Reservoir:

(i) Project sponsor: Green River-Rock Springs-Sweetwater County Joint Powers Water Board;

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

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

(iv) Total project budget: Sixteen million four hundred thousand dollars ($16,400,000.00);

(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 construction of the project an amount not to exceed eight million two hundred eighty-two thousand dollars ($8,282,000.00) or fifty and one-half percent (50.5%) of the actual development costs, whichever is less;

(vi) Repealed By Laws 2012, Ch. 14, § 3.

(vii) Appropriation: There is appropriated from water development account I to the commission eight million two hundred eighty-two thousand dollars ($8,282,000.00) 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, 2020;

(viii) Special condition: The sponsor is responsible for acquiring forty-nine and one-half percent (49.5%) of the total project budget from other sources.Source notes for subsection (f): (Laws 2011, Ch. 63, § 1; 2012, Ch. 14, § 2; 2017, Ch. 75, § 2; 2018, Ch. 121, § 2.)

(g) Project – LaBarge Water Supply:

(i) Project sponsor: Town of LaBarge;

(ii) Project purpose: Municipal, rural domestic 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: Three hundred seventy thousand dollars ($370,000.00);

(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 construction of the project an amount not to exceed two hundred forty-seven thousand nine hundred dollars ($247,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred twenty-two thousand one hundred dollars ($122,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred seventy thousand dollars ($370,000.00) 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, 2016.

Source notes for subsection (g): (Laws 2011, Ch. 63, § 1.)

(h) Project – Poison Spider Pipelines:

(i) Project sponsor: Poison Spider Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: One million thirty- six thousand dollars ($1,036,000.00);

(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 construction of the project an amount not to exceed six hundred ninety-four thousand one hundred twenty dollars ($694,120.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed three hundred forty-one thousand eight hundred eighty dollars ($341,880.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million thirty-six thousand dollars ($1,036,000.00) 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, 2016.

Source notes for subsection (h): (Laws 2011, Ch. 63, § 1.)

(j) Project – Reliance Water Supply:

(i) Project sponsor: Green River-Rock Springs-Sweetwater County Joint Powers Water Board;

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

(iii) Project description: Design and construction of a water storage tank, valve, pump station and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million six hundred thousand dollars ($2,600,000.00);

(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 construction of the project an amount not to exceed one million seven hundred forty-two thousand dollars ($1,742,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million seven hundred forty-two thousand dollars ($1,742,000.00) 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, 2016;

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

Source notes for subsection (j): (Laws 2011, Ch. 63, § 1.)

(k) Project – South Circle Estates Water Supply:

(i) Project sponsor: South Circle Estates Improvement and Service District;

(ii) Project purpose: Rural domestic, municipal water supply;

(iii) Project description: Design and construction of a water supply connection with the Town of Ten Sleep and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred eighty thousand dollars ($480,000.00);

(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 construction of the project an amount not to exceed three hundred twenty-one thousand six hundred dollars ($321,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred fifty-eight thousand four hundred dollars ($158,400.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred eighty thousand dollars ($480,000.00) 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, 2016.

Source notes for subsection (k): (Laws 2011, Ch. 63, § 1.)

(m) Project – Ten Sleep Storage Tank:

(i) Project sponsor: Town of Ten Sleep;

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

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

(iv) Total project budget: One million five hundred forty thousand dollars ($1,540,000.00);

(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 construction of the project an amount not to exceed one million thirty-one thousand eight hundred dollars ($1,031,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred eight thousand two hundred dollars ($508,200.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million five hundred forty thousand dollars ($1,540,000.00) 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, 2016.

Source notes for subsection (m): (Laws 2011, Ch. 63, § 1.)

(n) Project – Wright Water Supply 2011:

(i) Project sponsor: Wright Water and Sewer Water District;

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

(iii) Project description: Design and construction of a telemetry system, reconfiguration of the piping for an existing well, and connection of a new well to the water supply

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

(iv) Total project budget: Two million seven hundred thousand dollars ($2,700,000.00);

(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 construction of the project an amount not to exceed one million eight hundred nine thousand dollars ($1,809,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million eight hundred nine thousand dollars ($1,809,000.00) 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, 2017;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source notes for subsection (n): (Laws 2011, Ch. 63, § 1; 2012, Ch. 14, § 2.)

(o) Project – Yoder Water Supply:

(i) Project sponsor: Town of Yoder;

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

(iii) Project description: Design and construction of a connection of a well to the existing water supply system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred eighty thousand dollars ($180,000.00);

(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 construction of the project an amount not to exceed one hundred twenty thousand six hundred dollars ($120,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed fifty-nine thousand four hundred dollars ($59,400.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred eighty thousand dollars ($180,000.00) 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, 2016;

(viii) Special conditions: The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (o): (Laws 2011, Ch. 63, § 1.)

99-3-1604. 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.

Source notes for subsection (a): (Laws 2011, Ch. 63, § 1.)

(b) Project – Cody Canal Chute:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred twenty-three thousand dollars ($223,000.00);

(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 one hundred forty-nine thousand four hundred ten dollars ($149,410.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 seventy-three thousand five hundred ninety dollars ($73,590.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission two hundred twenty-three thousand dollars ($223,000.00) 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, 2016.

Source notes for subsection (b): (Laws 2011, Ch. 63, § 1.)

(c) Project – Cody Canal Drop Structure:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One hundred five thousand dollars ($105,000.00);

(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 approved by the commission an amount not to exceed fifty thousand dollars ($50,000.00) 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 fifty thousand dollars ($50,000.00) 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, 2016;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (a): (Laws 2011, Ch. 63, § 1.)

(d) Project – Eden Valley Rehabilitation 2011:

(i) Project sponsor: Eden Valley Irrigation and Drainage District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and

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

(iv) Total project budget: Three million four hundred twenty-six thousand dollars ($3,426,000.00);

(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 seven hundred thirteen thousand dollars ($1,713,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million seven hundred thirteen thousand dollars ($1,713,000.00) 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, 2016;

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

Source notes for subsection (d): (Laws 2011, Ch. 63, § 1.)

(e) Project – Goshen Rehabilitation 2011:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million fifty thousand dollars ($3,050,000.00);

(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 approved by the commission an amount not to exceed one million one hundred thousand dollars ($1,100,000.00)

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 one hundred thousand dollars ($1,100,000.00) 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, 2016;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (e): (Laws 2011, Ch. 63, § 1.)

(f) Project – Kirby Rehabilitation 2011:

(i) Project sponsor: Kirby Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred twenty thousand dollars ($420,000.00);

(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 two hundred eighty-one thousand four hundred dollars ($281,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred thirty-eight thousand six hundred dollars ($138,600.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(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, 2017.

Source notes for subsection (f): (Laws 2011, Ch. 63, § 1; 2016, Ch. 55, §2.)

(g) Project – Little Snake Rehabilitation 2011:

(i) Project sponsor: Savery-Little Snake River Water Conservancy District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred thirty thousand dollars ($230,000.00);

(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 one hundred fifty-four thousand one hundred dollars ($154,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred fifty-four thousand one hundred dollars ($154,100.00) 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, 2016;

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

Source notes for subsection (g): (Laws 2011, Ch. 63, § 1.)

(h) Project – Midvale Rehabilitation 2011:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred thirty thousand dollars ($630,000.00);

(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 approved by the commission an amount not to exceed four hundred fifty thousand dollars ($450,000.00) 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 four hundred fifty thousand dollars ($450,000.00) 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, 2016;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile

materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (h): (Laws 2011, Ch. 63, § 1.)

(j) Project – Shoshone Rehabilitation 2011:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million one hundred seventy thousand dollars ($1,170,000.00);

(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 approved by the commission an amount not to exceed five hundred eighty-five thousand dollars ($585,000.00) 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 five hundred eighty-five thousand dollars ($585,000.00) 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, 2016;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (j): (Laws 2011, Ch. 63, § 1.)

(k) Project – Wheatland Rehabilitation 2011:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of rehabilitation measures for the irrigation system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million eighty thousand dollars ($1,080,000.00);

(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 seven hundred twenty-three thousand six hundred dollars ($723,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred twenty-three thousand six hundred dollars ($723,600.00) 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, 2016;

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

Source notes for subsection (k): (Laws 2011, Ch. 63, § 1.)

(m) Project – Willwood Dam Rehabilitation:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million six hundred twenty thousand dollars ($1,620,000.00);

(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, and project land procurement, construction engineering and construction of the project one million eighty-five thousand four hundred dollars ($1,085,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, and project land procurement, construction engineering and construction of the project an amount not to exceed five hundred thirty-four thousand six hundred dollars ($534,600.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million six hundred twenty thousand dollars ($1,620,000.00) 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, 2018.

Source notes for subsection (m): (Laws 2011, Ch. 63, § 1; 2012, Ch. 14, § 2; 2017, Ch. 75, § 2.)

ARTICLE 17 - 2012 CONSTRUCTION PROJECTS

99-3-1701. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2012, Ch. 14, § 1.)

99-3-1702. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2012, Ch. 14, § 1.)

99-3-1703. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2012, Ch. 14, § 1.)

(b) Project – Big Horn Regional Well Connection:

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

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

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

(iv) Total project budget: Nine million two hundred twenty thousand dollars ($9,220,000.00);

(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 construction of the project an amount not to exceed six million one hundred seventy-seven thousand four hundred dollars ($6,177,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six million one hundred seventy-seven thousand four hundred dollars ($6,177,400.00) 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, 2017;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three

percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source notes for subsection (b): (Laws 2012, Ch. 14, § 1; 2014, Ch. 100, § 2.)

(c) Project – Buffalo Northwest Pipeline:

(i) Project sponsor: City of Buffalo;

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

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

(iv) Total project budget: Four million nine thousand dollars ($4,009,000.00);

(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 construction of the project an amount not to exceed two million six hundred eighty-six thousand thirty dollars ($2,686,030.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 three hundred twenty-two thousand nine hundred seventy dollars ($1,322,970.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four million nine thousand dollars ($4,009,000.00) 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, 2018.

Source notes for subsection (c): (Laws 2012, Ch. 14, § 1; 2013, Ch. 141, § 2.)

(d) Project – Casper Poplar Transmission Pipeline:

(i) Project sponsor: City of Casper;

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

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

(iv) Total project budget: Two million three hundred thousand dollars ($2,300,000.00);

(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 construction of the project an amount not to exceed one million five hundred forty-one thousand dollars ($1,541,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million five hundred forty-one thousand dollars ($1,541,000.00) 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, 2017;

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

Source notes for subsection (d): (Laws 2012, Ch. 14, § 1.)

(e) Project – Cody West Transmission Pipeline:

(i) Project sponsor: City of Cody;

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

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

(iv) Total project budget: Six hundred ten thousand dollars ($610,000.00);

(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 construction of the project an amount not to exceed four hundred eight thousand seven hundred dollars ($408,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eight thousand seven hundred dollars ($408,700.00) 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, 2017;

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

Source notes for subsection (e): (Laws 2012, Ch. 14, § 1.)

(f) Project – Fort Laramie Storage Tank:

(i) Project sponsor: Town of Fort Laramie;

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

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

(iv) Total project budget: One million one hundred sixty-five thousand five hundred dollars ($1,165,500.00);

(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 construction of the project an amount not to exceed seven hundred eighty thousand

eight hundred eighty-five dollars ($780,885.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million one hundred thirty-nine thousand one hundred dollars ($1,139,100.00) 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, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the design and permitting phase I project budget from other sources;

(viii) Project loan: The state of Wyoming shall loan 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 three hundred fifty-eight thousand two hundred fifteen dollars ($358,215.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%).

Source notes for subsection (f): (Laws 2012, Ch. 14, § 1; 2013, Ch. 141, § 2.)

(g) Project – Gillette Regional Extensions:

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Nine million six hundred thousand dollars ($9,600,000.00);

(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 construction of the project an amount not to exceed six million four hundred thirty-

two thousand dollars ($6,432,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six million four hundred thirty-two thousand dollars ($6,432,000.00) 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, 2018;

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

Source notes for subsection (g): (Laws 2012, Ch. 14, § 1; 2013, Ch. 141, § 2; 2014, Ch. 100, § 2.)

(h) Project – Lander Water Supply:

(i) Project sponsor: City of Lander;

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

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

(iv) Total project budget: Six million one hundred thirty-six thousand dollars ($6,136,000.00);

(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 construction of the project an amount not to exceed three million sixty-eight thousand dollars ($3,068,000.00) 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 three million sixty-eight thousand dollars ($3,068,000.00) 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, 2017;

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

Source notes for subsection (h): (Laws 2012, Ch. 14, § 1.)

(j) Project – Lovell Transmission Pipeline:

(i) Project sponsor: Town of Lovell;

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

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

(iv) Total project budget: One million one hundred fifty thousand dollars ($1,150,000.00);

(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 construction of the project an amount not to exceed seven hundred seventy thousand five hundred dollars ($770,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred seventy thousand five hundred dollars ($770,500.00) 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 I on July 1, 2018;

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

Source notes for subsection (j): (Laws 2012, Ch. 14, § 1; 2013, Ch. 141, § 2.)

(k) Project – Northwest Rural Northern Expansion:

(i) Project sponsor: Northwest Rural Water District;

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

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

(iv) Total project budget: Five million five hundred seven thousand five hundred dollars ($5,507,500.00);

(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 construction of the project an amount not to exceed three million six hundred ninety thousand twenty-five dollars ($3,690,025.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million six hundred ninety thousand twenty-five dollars ($3,690,025.00) 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, 2018;

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

Source notes for subsection (k): (Laws 2012, Ch. 14, § 1; 2013, Ch. 141, § 2.)

(m) Project – Rolling Hills Water Supply:

(i) Project sponsor: Town of Rolling Hills;

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

(iii) Project description: Design and construction of a storage tank, water delivery system improvements, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million forty-one thousand five hundred dollars ($2,041,500.00). Total project

phase I budget: One hundred sixty thousand dollars ($160,000.00);

(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 construction of the project an amount not to exceed one million two hundred ninety-one thousand two hundred dollars ($1,291,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement and project land procurement of the project an amount not to exceed fifty-two thousand eight hundred dollars ($52,800.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million three hundred forty-four thousand dollars ($1,344,000.00) 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, 2017;

(viii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the construction engineering and construction budget from other sources.

Source notes for subsection (m): (Laws 2012, Ch. 14, § 1; 2014, Ch. 100, § 2.)

(n) Project – Sundance Storage Tank:

(i) Project sponsor: Town of Sundance;

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

(iii) Project description: Design and construction needed to resolve issues relating to the existing Cole Water

Storage Tank, and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred fifty thousand dollars ($950,000.00);

(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 construction of the project an amount not to exceed seven hundred twelve thousand five hundred dollars ($712,500.00) or seventy-five percent (75%) of actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred twelve thousand five hundred dollars ($712,500.00) 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 I on July 1, 2017;

(vii) Special conditions: The sponsor is responsible for acquiring twenty-five percent (25%) of the total project budget from other sources.

Source notes for subsection (n): (Laws 2012, Ch. 14, § 1.)

(o) Project – Pavillion East Water Supply Project:

(i) Project sponsor: Wyoming Water Development Commission (Commission);

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of cistern systems, a water loading station and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million fifty thousand dollars ($1,050,000.00);

(v) Appropriation: There is appropriated from water development account I to the commission one million fifty thousand dollars ($1,050,000.00) 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, 2017;

(vi) Special conditions:

(A) The Commission, in coordination with the governor's office, select water committee, department of environmental quality and the Wyoming oil and gas conservation commission shall develop project operating criteria to include, but not limited to the following: the project area, eligibility of residences in the project area to participate in the project and utilization of water sources which would not impact existing uses;

(B) The Commission is authorized to enter into a project agreement with an entity eligible to be a project sponsor; and

(C) This project and the financing plan address a unique situation and shall not be considered by the commission as a precedent for any future project unless expressly approved by the governor and the legislature.

Source notes for subsection (o): (Laws 2012, Ch. 14, § 1; 2014, Ch. 100, § 2.)

99-3-1704. 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.

Source notes for subsection (a): (Laws 2012, Ch. 14, § 1.)

(b) Project – Big Horn Canal Rehabilitation 2012:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million four hundred forty thousand dollars ($1,440,000.00);

(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 nine hundred sixty-four thousand eight hundred dollars ($964,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 four hundred seventy-five thousand two hundred dollars ($475,200.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million four hundred forty thousand dollars ($1,440,000.00) 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, 2017.

Source notes for subsection (b): (Laws 2012, Ch. 14, § 1.)

(c) Project – Fayette Irrigation Rehabilitation:

(i) Project sponsor: Fayette Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Three hundred thousand dollars ($300,000.00);

(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 two hundred one thousand dollars ($201,000.00) or

sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 ninety-nine thousand dollars ($99,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission three hundred thousand dollars ($300,000.00) 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, 2018.

Source notes for subsection (c): (Laws 2012, Ch. 14, § 1; 2016, Ch. 55, §2.)

(d) Project – Lake Hattie Dam:

(i) Project sponsor: Pioneer Canal-Lake Hattie Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of dam outlet works improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred forty thousand dollars ($840,000.00);

(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 five hundred sixty-two thousand eight hundred dollars ($562,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 seventy-seven thousand two hundred dollars ($277,200.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission eight hundred forty thousand dollars ($840,000.00) 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, 2017.

Source notes for subsection (d): (Laws 2012, Ch. 14, § 1.)

(e) Project – Lovell Canal Rehabilitation 2012:

(i) Project sponsor: Lovell Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Four hundred forty-seven thousand dollars ($447,000.00);

(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 approved by the commission an amount not to exceed two hundred ninety-nine thousand dollars ($299,000.00) 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 two hundred ninety-nine thousand dollars ($299,000.00) 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, 2017;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (e): (Laws 2012, Ch. 14, § 1; 2013, Ch. 141, § 2.)

(f) Project – Midvale Rehabilitation 2012:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million eight hundred fifty-five thousand dollars ($1,855,000.00);

(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 approved by the commission an amount not to exceed nine hundred forty-five thousand dollars ($945,000.00) 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 nine hundred forty-five thousand dollars ($945,000.00) 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, 2017;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (f): (Laws 2012, Ch. 14, § 1.)

(g) Project – Shell Canal Tunnel Rehabilitation:

(i) Project sponsor: Shell Valley Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction improvements to or replacement of a water supply tunnel and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred twenty thousand dollars ($1,220,000.00);

(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 eight hundred seventeen thousand four hundred dollars ($817,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 four hundred two thousand six hundred dollars ($402,600.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million two hundred twenty thousand dollars ($1,220,000.00) 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, 2017.

Source notes for subsection (g): (Laws 2012, Ch. 14, § 1.)

ARTICLE 18 - 2013 CONSTRUCTION PROJECTS

99-3-1801. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2013, Ch. 141, § 1.)

99-3-1802. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2013, Ch. 141, § 1.)

99-3-1803. Level III construction projects – new development.

(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.

Source notes for subsection (a): (Laws 2013, Ch. 141, § 1.)

(b) Project – Buffalo South Loop Pipeline:

(i) Project sponsor: City of Buffalo;

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

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

(iv) Total project budget: Seven hundred seventy-five thousand dollars ($775,000.00);

(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 construction of the project an amount not to exceed five hundred nineteen thousand two hundred fifty dollars ($519,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 fifty-five thousand seven hundred fifty dollars ($255,750.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission seven hundred seventy-five thousand dollars ($775,000.00) 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, 2018.

Source notes for subsection (b): (Laws 2013, Ch. 141, § 1.)

(c) Project – Burns Well Connection:

(i) Project sponsor: Town of Burns;

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

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

(iv) Total project budget: One million two hundred fourteen thousand dollars ($1,214,000.00);

(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 construction of the project an amount not to exceed eight hundred thirteen thousand three hundred eighty dollars ($813,380.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the

commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred thousand six hundred twenty dollars ($400,620.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million two hundred fourteen thousand dollars ($1,214,000.00) 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, 2018;

(viii) Special conditions:

(A) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (c): (Laws 2013, Ch. 141, § 1.)

(d) Project – Casper Raw Water Supply II:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Design and construction of a river intake structure modifications, pumping facilities, pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred twenty-seven thousand seven hundred dollars ($727,700.00);

(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 construction of the project an amount not to exceed four hundred eighty-seven

thousand five hundred fifty-nine dollars ($487,559.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eighty-seven thousand five hundred fifty-nine dollars ($487,559.00) 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, 2018;

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

Source notes for subsection (d): (Laws 2013, Ch. 141, § 1.)

(e) Project – Cottonwood Lake Enlargement:

(i) Project sponsor: Cottonwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design, permitting, mitigation, right-of-way acquisition and reconstruction of the existing dam and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million seven hundred thousand dollars ($3,700,000.00);

(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 construction of the project an amount not to exceed two million four hundred seventy-nine thousand dollars ($2,479,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 two hundred twenty-one thousand dollars ($1,221,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a

term of fifty (50) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million seven hundred thousand dollars ($3,700,000.00) 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, 2016.

Source notes for subsection (e): (Laws 2013, Ch. 141, § 1; 2016, Ch. 55, §2.)

(f) Project – Evansville Emergency Connection:

(i) Project sponsor: Town of Evansville;

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

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

(iv) Total project budget: Two hundred eleven thousand dollars ($211,000.00);

(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 construction of the project an amount not to exceed one hundred forty-one thousand three hundred seventy dollars ($141,370.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred forty-one thousand three hundred seventy dollars ($141,370.00) 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, 2019;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project

budget from other sources. Source notes for subsection (f): (Laws 2013, Ch. 141, § 1; 2018, Ch. 121, § 2.)

(g) Project – Jeffrey City Water System Improvements:

(i) Project sponsor: Jeffrey City Water & Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of well improvements, a new well, storage tanks, piping and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred twenty-five thousand dollars ($625,000.00);

(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 construction of the project an amount not to exceed four hundred eighteen thousand seven hundred fifty dollars ($418,750.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eighteen thousand seven hundred fifty dollars ($418,750.00) 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, 2018;

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

Source notes for subsection (g): (Laws 2013, Ch. 141, § 1.)

(h) Project – Lance Creek Well Connection:

(i) Project sponsor: Lance Creek Water & Sewer District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: One hundred seventy thousand dollars ($170,000.00);

(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 construction of the project an amount not to exceed one hundred thirteen thousand nine hundred dollars ($113,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed fifty-six thousand one hundred dollars ($56,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred seventy thousand dollars ($170,000.00) 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, 2018;

(viii) Special conditions:

(A) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (h): (Laws 2013, Ch. 141, § 1.)

(j) Project – Mountain View Acres Connection:

(i) Project sponsor: Mountain View Acres Water District;

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

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

(iv) Total project budget: Ninety-five thousand dollars ($95,000.00);

(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 construction of the project an amount not to exceed sixty-three thousand six hundred fifty dollars ($63,650.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed thirty-one thousand three hundred fifty dollars ($31,350.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission ninety-five thousand dollars ($95,000.00) 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, 2021.

Source notes for subsection (j): (Laws 2013, Ch. 141, § 1; 2018, Ch. 121, § 2.)

(k) Project – Pavillion Water System Improvements:

(i) Project sponsor: Town of Pavillion;

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

(iii) Project description: Design and construction of well improvements, pipeline, tank removal and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fourteen thousand five hundred dollars ($214,500.00);

(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 construction of the project an amount not to exceed one hundred forty-three thousand seven hundred fifteen dollars ($143,715.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seventy thousand seven hundred eighty-five dollars ($70,785.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred fourteen thousand five hundred dollars ($214,500.00) 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 I on July 1, 2018.

Source notes for subsection (k): (Laws 2013, Ch. 141, § 1.)

(m) Project – Sheridan North Loop Transmission Line:

(i) Project sponsor: City of Sheridan;

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

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

(iv) Total project budget: Two million five hundred sixty thousand dollars ($2,560,000.00);

(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 construction of the project an amount not to exceed one million seven hundred fourteen thousand four hundred sixty dollars ($1,714,460.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million seven hundred fourteen thousand four hundred sixty dollars ($1,714,460.00) 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, 2018;

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

Source notes for subsection (m): (Laws 2013, Ch. 141, § 1; 2014, Ch. 100, § 2.)

99-3-1804. 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.

Source notes for subsection (a): (Laws 2013, Ch. 141, § 1.)

(b) Project – Austin-Wall Canal Rehabilitation-Phase I:

(i) Project sponsor: Austin-Wall Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

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

(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 one million five hundred thousand dollars ($1,500,000.00) or fifty and nine tenths percent (50.9%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million six hundred thousand dollars ($1,600,000.00) 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, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring forty-five and seven tenths percent (45.7%) of the project phase I budget from other sources;

(viii) Project loan: The state of Wyoming shall loan 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 hundred thousand dollars ($100,000.00) or three and four tenths percent (3.4%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%).

Source notes for subsection (b): (Laws 2013, Ch. 141, § 1; 2014, Ch. 100, § 2; 2015, Ch. 23, § 2.)

(c) Project – Cody Canal Rehabilitation 2013:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of irrigation water pipeline system improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred forty-four thousand dollars ($144,000.00);

(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 ninety-six thousand four hundred eighty dollars ($96,480.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 forty-seven thousand five hundred twenty dollars ($47,520.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred forty-four thousand dollars ($144,000.00) 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, 2018.

Source notes for subsection (c): (Laws 2013, Ch. 141, § 1.)

(d) Project – Eden Valley Farson Lateral Rehabilitation:

(i) Project sponsor: Eden Valley Irrigation & Drainage District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Five million three hundred thousand nine hundred thirteen dollars ($5,300,913.00);

(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 three million seventy-six thousand dollars ($3,076,000.00) or fifty-eight and four hundredths percent (58.04%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 three and seventy-seven hundredths percent (3.77%) of the actual development costs, whichever is less, for a term of twenty (20) 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: There is appropriated from water development account II to the commission three million two hundred seventy-six thousand dollars ($3,276,000.00) 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, 2021;

(viii) Special conditions:

(A) The sponsor is responsible for acquiring thirty-eight and nineteen hundredths percent (38.19%) of the project budget from other sources;

(B) The 2015 appropriation of two million one hundred thirty-two thousand five hundred dollars ($2,132,500.00) for this project is contingent upon approval from the legislature and the governor of a supplemental budget request in the 2015 legislative session to provide additional funding for water development account II.

Source notes for subsection (d): (Laws 2013, Ch. 141, § 1; 2015, Ch. 23, § 2; 2019, Ch. 55, § 2.)

(e) Project – Goshen Irrigation District Rehabilitation 2013:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two million eight hundred fifty-eight thousand dollars ($2,858,000.00);

(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 approved by the commission an amount not to exceed one million four hundred thousand dollars ($1,400,000.00) 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 thousand dollars ($1,400,000.00) 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, 2018;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (e): (Laws 2013, Ch. 141, § 1.)

(f) Project – Midvale Rehabilitation 2013:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Seven hundred thirty-two thousand dollars ($732,000.00);

(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 approved by the commission an amount not to exceed three hundred eighty-one thousand dollars ($381,000.00) 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 three hundred eighty-one thousand dollars ($381,000.00) 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, 2018;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (f): (Laws 2013, Ch. 141, § 1; 2015, Ch. 23, § 2.)

(g) Project – Riverton Valley Rehabilitation 2013:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of water lateral improvements, rehabilitate main diversion

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

(iv) Total project budget: Two hundred fifty-two thousand thirty dollars ($252,030.00);

(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 approved by the commission an amount not to exceed one hundred thirty-seven thousand dollars ($137,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vii) Special conditions:

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (g): (Laws 2013, Ch. 141, § 1; 2015, Ch. 23, § 2.)

(h) Project – Savery Creek Diversions Phase II:

(i) Project sponsor: Savery-Little Snake River Water Conservancy District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million nine hundred thousand dollars ($1,900,000.00);

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

commission for the permit procurement, project land procurement and construction of the project an amount not to exceed one million two hundred seventy-three thousand dollars ($1,273,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the permit procurement, project land procurement and construction of the project an amount not to exceed six hundred twenty-seven thousand dollars ($627,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one million nine hundred thousand dollars ($1,900,000.00) 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, 2019;

(viii) Special conditions:

(A) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures. Source notes for subsection (h): (Laws 2013, Ch. 141, § 1; 2018, Ch. 121, § 2.)

(j) Project – Shoshone Irrigation District Rehabilitation 2013:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million two hundred twenty-five thousand five hundred forty-five dollars ($1,225,545.00);

(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 approved by the commission an amount not to exceed seven hundred ninety-five thousand dollars ($795,000.00) 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 seven hundred ninety-five thousand dollars ($795,000.00) 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, 2018;

(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 approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

Source notes for subsection (j): (Laws 2013, Ch. 141, § 1.)

ARTICLE 19 - 2014 CONSTRUCTION PROJECTS

99-3-1901. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2014, Ch. 100, § 1.)

99-3-1902. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2014, Ch. 100, § 1.)

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

(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.

Source notes for subsection (a): (Laws 2014, Ch. 100, § 1.)

(b) Project – Antelope Valley Regional Connection:

(i) Project sponsor: Antelope Valley Improvement and Service District;

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

(iii) Project description: Design and construction of a connection to the regional water system and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred thousand dollars ($300,000.00);

(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 construction of the project an amount not to exceed two hundred one thousand dollars ($201,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred one thousand dollars ($201,000.00) 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, 2019;

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

Source notes for subsection (b): (Laws 2014, Ch. 100, § 1.)

(c) Project – Casper Zone 3 Improvements:

(i) Project sponsor: City of Casper;

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

(iii) Project description: Design and construction of a transmission pipeline, pumping facilities, storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: 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, project land procurement, construction engineering and construction of the project an amount not to exceed three million six hundred eighty-five thousand dollars ($3,685,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million six hundred eighty-five thousand dollars ($3,685,000.00) 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, 2020;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources. Source notes for subsection (c): (Laws 2014, Ch. 100, § 1; 2019, Ch. 55, § 2.)

(d) Project – Cheyenne Southern Pipeline-Phase III:

(i) Project sponsor: City of Cheyenne;

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

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

(iv) Total project budget: Sixteen million dollars ($16,000,000.00);

(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 construction of the

project an amount not to exceed ten million seven hundred twenty thousand dollars ($10,720,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ten million seven hundred twenty thousand dollars ($10,720,000.00) 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, 2019;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.Source notes for subsection (d): (Laws 2014, Ch. 100, § 1; 2016, Ch. 55, § 2.)

(e) Project – Eastern Shoshone Boulder Flats Well Field:

(i) Project sponsor: Eastern Shoshone Tribe;

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

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

(iv) Total project budget: One million two hundred thousand dollars ($1,200,000.00);

(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 construction of the project an amount not to exceed eight hundred four thousand dollars ($804,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission eight hundred four thousand dollars ($804,000.00) 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, 2019;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs.

Source notes for subsection (e): (Laws 2014, Ch. 100, § 1.)

(f) Project – Glenrock Transmission Pipeline:

(i) Project sponsor: Town of Glenrock;

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

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

(iv) Total project budget: Five hundred seventy thousand dollars ($570,000.00);

(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 construction of the project an amount not to exceed three hundred eighty-one thousand nine hundred dollars ($381,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred eighty-one thousand nine hundred dollars ($381,900.00) 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, 2019;

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

Source notes for subsection (f): (Laws 2014, Ch. 100, § 1.)

(g) Project – Laramie North Side Tank:

(i) Project sponsor: City of Laramie;

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

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

(iv) Total project budget: Twelve million one hundred thousand dollars ($12,100,000.00);

(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 construction of the project an amount not to exceed eight million one hundred seven thousand dollars ($8,107,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement and project land procurement of the project an amount not to exceed three hundred ninety-six thousand dollars ($396,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(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, 2020;

(viii) Special conditions: The sponsor is responsible for acquiring an additional three million five hundred ninety-seven thousand dollars ($3,597,000.00) from other sources to supplement the sponsor's existing commission loan thereby providing thirty-three percent (33%) of the total project budget.

Source notes for subsection (g): (Laws 2014, Ch. 100, § 1; 2017, Ch. 75, § 2.)

(h) Project – Manville Well Connection:

(i) Project sponsor: Town of Manville;

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

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

(iv) Total project budget: Four hundred ninety thousand dollars ($490,000.00);

(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 construction of the project an amount not to exceed three hundred twenty-eight thousand three hundred dollars ($328,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred sixty-one thousand seven hundred dollars ($161,700.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission four hundred ninety thousand dollars ($490,000.00) 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, 2018;

(viii) Special conditions:

(A) The sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three

percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (h): (Laws 2014, Ch. 100, § 1.)

(j) Project – Pine Bluffs North Well Field:

(i) Project sponsor: Town of Pine Bluffs;

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

(iii) Project description: Purchase of water rights, design and construction of new wells, rehabilitation of existing wells, pumping facilities, pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred thousand dollars ($2,300,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the purchase of water rights, design, permit procurement, construction engineering and construction of the project an amount not to exceed one million five hundred forty-one thousand dollars ($1,541,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I 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 fifty-nine thousand dollars ($759,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission two million three hundred thousand dollars ($2,300,000.00) 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, 2019;

(viii) Special conditions:

(A) The costs for the purchase of land and existing infrastructure, and to effect a water rights transfer before the Wyoming board of control are not part of the total project budget. The sponsor shall acquire funding for such costs from other sources.

Source notes for subsection (j): (Laws 2014, Ch. 100, § 1.)

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

(i) Project sponsors: Eligible public entities;

(ii) Project purpose: Multi-purpose - agriculture, recreation and environmental;

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

(iv) Total project budget: Nine million two hundred thousand dollars ($9,200,000.00);

(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 of the project an amount not to exceed four million six hundred thousand dollars ($4,600,000.00) 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 four million six hundred thousand dollars ($4,600,000.00) 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;

(vii) Definition: "Small project" means a project where the maximum financial contribution from the commission is thirty-five thousand dollars ($35,000.00) or less;

(viii) Special conditions:

(A) The commission shall establish eligibility criteria and administration procedures for development of small projects;

(B) The commission may grant a sponsor fifty percent (50%) of the construction cost of a project with a maximum grant awarded limited to thirty-five thousand dollars ($35,000.00);

(C) The project sponsors shall substantiate the public benefit that will be derived from proposed projects;

(D) The commission may make monthly progress payments for no more than fifty percent (50%) of eligible monthly project expenses;

(E) An appropriate land management or resource management entity shall certify that the proposed project will meet expectations and that appropriate engineering standards, as approved by the commission, will be adhered to;

(F) The establishment of criteria and administrative procedures for the development of small projects under this subsection and decisions of the commission relating to the recommendations, prioritization or disqualification of small projects are specifically exempt from the provisions of the Wyoming Administrative Procedure Act including judicial review under W.S. 16-3-114 and 16-3-115.

(ix) No new project shall be authorized under this subsection on or after July 1, 2025.Source notes for subsection (k): (Laws 2014, Ch. 100, § 1; 2015, Ch. 23, § 2; 2018, Ch. 16, § 1, Ch. 121, § 2; 2019, Ch. 55, § 2.)

(m) Project – Weather Modification Wind River Mountains:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain Range;

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2014-2015 fall, winter and spring seasons;

(iv) Total project budget: Nine hundred thirty thousand dollars ($930,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office two hundred forty thousand dollars ($240,000.00) 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, 2015;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Ten thousand dollars ($10,000.00) of the total appropriation is allocated for this purpose;

(B) The project operations budget shall not exceed nine hundred twenty thousand dollars ($920,000.00) of which the state of Wyoming shall participate at a rate of twenty-five percent (25%) of actual costs;

(C) Prior to commencing with project operations, the Wyoming water development office shall acquire funding commitments from other Colorado river basin water users for seventy-five percent (75%) of project operations costs.

Source notes for subsection (m): (Laws 2014, Ch. 100, § 1.)

99-3-1904. 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.

Source notes for subsection (a): (Laws 2014, Ch. 100, § 1.)

(b) Project – Central Wyoming Elevated Tank:

(i) Project sponsor: Central Wyoming Regional Water System;

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

(iii) Project description: Design and construction of an elevated water storage tank, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million four hundred sixty thousand dollars ($2,460,000.00);

(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 and project land procurement of the project one million six hundred forty-eight thousand two hundred dollars ($1,648,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million six hundred forty-eight thousand two hundred dollars ($1,648,200.00) 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, 2019;

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

Source notes for subsection (b): (Laws 2014, Ch. 100, § 1.)

(c) Project – Lakeview Irrigation District Rehabilitation 2014:

(i) Project sponsor: Lakeview Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred thirty-one thousand dollars ($231,000.00);

(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 hundred fifty-four thousand

seven hundred seventy dollars ($154,770.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred fifty-four thousand seven hundred seventy dollars ($154,770.00) 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, 2019;

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

Source notes for subsection (c): (Laws 2014, Ch. 100, § 1.)

(d) Project – Lovell Canal Rehabilitation 2014:

(i) Project sponsor: Lovell Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million one hundred fifty-six thousand dollars ($1,156,000.00);

(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 approved by the commission an amount not to exceed eight hundred eighty-nine thousand dollars ($889,000.00) 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 eight hundred eighty-nine thousand dollars ($889,000.00) 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, 2019;

(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 approved by the commission;

(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.

Source notes for subsection (d): (Laws 2014, Ch. 100, § 1.)

(e) Project – Medicine Bow Transmission Pipeline:

(i) Project sponsor: Town of Medicine Bow;

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

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

(iv) Total project budget: Three million fifty thousand dollars ($3,050,000.00);

(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 one million fifty-two thousand dollars ($1,052,000.00) or sixty-seven percent (67%) of the actual and eligible development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million fifty-two thousand dollars ($1,052,000.00) 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, 2019;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the eligible project budget and one hundred percent (100%) of noneligible project budget from other sources.

Source notes for subsection (e): (Laws 2014, Ch. 100, § 1.)

(f) Project – Piney & Cruse Canal Piping:

(i) Project sponsor: Piney & Cruse Creek Ditch Company Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Eight hundred fifty-five thousand dollars ($855,000.00);

(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 five hundred seventy-two thousand eight hundred fifty dollars ($572,850.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 eighty-two thousand one hundred fifty dollars ($282,150.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission eight hundred fifty-five thousand dollars ($855,000.00) 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, 2022.

Source notes for subsection (f): (Laws 2014, Ch. 100, § 1; 2019, Ch. 55, § 2.)

(g) Project – Riverton Valley Rehabilitation 2014:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred four thousand dollars ($204,000.00);

(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 one hundred thirty-six thousand six hundred eighty dollars ($136,680.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred thirty-six thousand six hundred eighty dollars ($136,680.00) 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, 2019;

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

Source notes for subsection (g): (Laws 2014, Ch. 100, § 1.)

(h) Project – Rock River Transmission Line Replacement:

(i) Project sponsor: Town of Rock River;

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

(iii) Project description: Design and construction of a transmission line, river intake structure and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seven hundred thirty thousand dollars ($1,730,000.00);

(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 one million one hundred fifty-nine thousand one hundred dollars ($1,159,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million one hundred fifty-nine thousand one hundred dollars ($1,159,100.00) 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, 2019;

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

Source notes for subsection (h): (Laws 2014, Ch. 100, § 1.)

(j) Project – State Line Canal Diversion:

(i) Project sponsor: Savery-Little Snake River Water Conservancy District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Seven hundred fifty thousand dollars ($750,000.00);

(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 five hundred two thousand five hundred dollars ($502,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 forty-seven thousand five hundred dollars ($247,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission seven hundred fifty thousand dollars ($750,000.00) 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, 2019.

Source notes for subsection (j): (Laws 2014, Ch. 100, § 1.)

(k) Project – Sidon Irrigation District Rehabilitation 2014:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred four thousand dollars ($204,000.00);

(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 approved by the commission an amount not to exceed one hundred nine thousand dollars ($109,000.00) 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 nine thousand dollars ($109,000.00) 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, 2019;

(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 approved by the commission;

(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.

Source notes for subsection (k): (Laws 2014, Ch. 100, § 1.)

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

(i) Project sponsors: Eligible public entities;

(ii) Project purpose: Multi-purpose - agriculture, recreation and environmental;

(iii) Project description: Rehabilitation and replacement of small dams, windmills, spring rehabilitation, pipeline rehabilitation, etc., to impound, develop and convey water for livestock, wildlife, environmental and recreational purposes;

(iv) Total project budget: Three million six hundred thousand dollars ($3,600,000.00);

(v) Project grant: The state of Wyoming shall grant to sponsors 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 thousand dollars ($1,800,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million eight hundred thousand dollars ($1,800,000.00) 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 II;

(vii) Definition: "Small project" means a project where the maximum financial contribution from the commission is thirty-five thousand dollars ($35,000.00) or less;

(viii) Special conditions:

(A) The commission shall establish eligibility criteria and administration procedures for development of small projects;

(B) The commission may grant a sponsor fifty percent (50%) of the construction cost of a project with a maximum grant awarded limited to thirty-five thousand dollars ($35,000.00);

(C) The project sponsors shall substantiate the public benefit that will be derived from proposed projects;

(D) The commission may make monthly progress payments for no more than fifty percent (50%) of eligible monthly project expenses;

(E) An appropriate land management or resource management entity shall certify that the proposed project will meet expectations and that appropriate engineering standards, as approved by the commission, will be adhered to;

(F) The establishment of criteria and administrative procedures for the development of small projects under this subsection and decisions of the commission relating to the recommendations, prioritization or disqualification of small projects are specifically exempt from the provisions of the Wyoming Administrative Procedure Act including judicial review under W.S. 16-3-114 and 16-3-115.

(ix) No new project shall be authorized under this subsection on or after July 1, 2025.Source notes for subsection (m): (Laws 2014, Ch. 100, § 1; 2015, Ch. 23, § 2; 2018, Ch. 16, § 1, Ch. 121, § 2; 2019, Ch. 55, § 2.)

(n) Project – Willwood Irrigation District Rehabilitation 2014:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred nineteen thousand dollars ($219,000.00);

(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 approved by the commission an amount not to exceed one hundred sixty-four thousand dollars ($164,000.00) 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 sixty-four thousand dollars ($164,000.00) 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, 2019;

(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 approved by the commission;

(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.

Source notes for subsection (n): (Laws 2014, Ch. 100, § 1.)

ARTICLE 20 - 2015 CONSTRUCTION PROJECTS

99-3-2001. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2015, Ch. 23, § 1.)

99-3-2002. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2015, Ch. 23, § 1.)

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

(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.

Source notes for subsection (a): (Laws 2015, Ch. 23, § 1.)

(b) Project – Arapahoe Pipeline and Tank:

(i) Project sponsor: Northern Arapaho Indian Tribe;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: Two million eight hundred seventy-six thousand dollars ($2,876,000.00);

(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 construction of the project an amount not to exceed one million nine hundred twenty-six thousand nine hundred twenty dollars ($1,926,920.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million nine hundred twenty-six thousand nine hundred twenty dollars ($1,926,920.00) 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, 2020;

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

Source notes for subsection (b): (Laws 2015, Ch. 23, § 1.)

(c) Project – Cambria Tank:

(i) Project sponsor: Cambria Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a transmission pipeline, pumping facilities, storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred thirty-five thousand dollars ($935,000.00);

(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 construction of the project an amount not to exceed six hundred twenty-six thousand four hundred fifty dollars ($626,450.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred twenty-six thousand four hundred fifty dollars ($626,450.00) 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, 2020;

(vii) Special conditions:

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

(B) The expenditure of funds from this appropriation shall not occur until an acceptable water service agreement between the Cambria Improvement and Service District, the Sweetwater Improvement and Service District and the Town of Newcastle is presented to the director of the water development office.

Source notes for subsection (c): (Laws 2015, Ch. 23, § 1.)

(d) Project – Casper Zone II 2015:

(i) Project sponsor: City of Casper;

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

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

(iv) Total project budget: Two million five hundred eighty thousand dollars ($2,580,000.00);

(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 construction of the project an amount not to exceed one million seven hundred twenty-eight thousand six hundred dollars ($1,728,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million seven hundred twenty-eight thousand six hundred dollars ($1,728,600.00) 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, 2020;

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

Source notes for subsection (d): (Laws 2015, Ch. 23, § 1.)

(e) Project – Indian Paintbrush Water Supply:

(i) Project sponsor: Indian Paintbrush Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a transmission pipeline, water storage tank, pumping equipment, disinfection facilities, emergency power and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred twenty thousand dollars ($920,000.00);

(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 construction of the project an amount not to exceed six hundred sixteen thousand four hundred dollars ($616,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred sixteen thousand four hundred dollars ($616,400.00) 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, 2020;

(vii) Special conditions:

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

(B) The sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

Source notes for subsection (e): (Laws 2015, Ch. 23, § 1.)

(f) Project – Jamestown/Rio Vista Water Supply:

(i) Project sponsor: Jamestown/Rio Vista Water and Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a transmission pipeline, storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six million four hundred thousand dollars ($6,400,000.00);

(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 construction of the project an amount not to exceed four million two hundred eighty-eight thousand dollars ($4,288,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four million two hundred eighty-eight thousand dollars ($4,288,000.00) 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, 2020;

(vii) Special conditions:

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

(B) The expenditure of funds from this appropriation shall not occur until the sponsor approves a special assessment district to secure project loan repayments and secures the loan to fund the sponsor's thirty-three percent (33%) share of the project.

Source notes for subsection (f): (Laws 2015, Ch. 23, § 1.)

(g) Project – Kaycee Replacement Tank:

(i) Project sponsor: Town of Kaycee;

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

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

(iv) Total project budget: Six hundred fifty thousand dollars ($650,000.00);

(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 construction of the project an amount not to exceed four hundred thirty-five

thousand five hundred dollars ($435,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred thirty-five thousand five hundred dollars ($435,500.00) 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 I on July 1, 2020;

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

Source notes for subsection (g): (Laws 2015, Ch. 23, § 1.)

(h) Project – Kemmerer-Diamondville Water System:

(i) Project sponsor: Kemmerer-Diamondville Joint Powers Water Board;

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

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

(iv) Total project budget: Two million three hundred seventy thousand dollars ($2,370,000.00);

(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 construction of the project an amount not to exceed one million five hundred eighty-seven thousand nine hundred dollars ($1,587,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million five hundred eighty-seven thousand nine hundred dollars ($1,587,900.00) 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, 2020;

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

Source notes for subsection (h): (Laws 2015, Ch. 23, § 1.)

(j) Project – Lovell Tank/Zone 2 Improvements:

(i) Project sponsor: Town of Lovell;

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

(iii) Project description: Design and construction of a pipeline, storage tank, pumping facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four million thirty thousand dollars ($4,030,000.00);

(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 construction of the project an amount not to exceed two million seven hundred thousand one hundred dollars ($2,700,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million seven hundred thousand one hundred dollars ($2,700,100.00) 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, 2020;

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

Source notes for subsection (j): (Laws 2015, Ch. 23, § 1.)

(k) Project – Lower Nowood Rural Water Supply:

(i) Project sponsor: Lower Nowood Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a transmission pipeline, water well, disinfection facility and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred ninety thousand dollars ($2,390,000.00);

(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 construction of the project an amount not to exceed one million six hundred ninety-six thousand nine hundred dollars ($1,696,900.00) or seventy-one percent (71%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million six hundred ninety-six thousand nine hundred dollars ($1,696,900.00) 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, 2020;

(vii) Special conditions:

(A) The sponsor is responsible for acquiring twenty-nine percent (29%) of the total project budget from other sources. Source notes for subsection (k): (Laws 2015, Ch. 23, § 1; 2016, Ch. 55, § 2 & 3.)

(B) Repealed by Laws 2016, ch. 55, § 3.

(m) Project – Newcastle 2015:

(i) Project sponsor: City of Newcastle;

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

(iii) Project description: Design and construction of a transmission pipeline, rehabilitation of an existing well,

pumping equipment, control system upgrade and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred twenty thousand dollars ($920,000.00);

(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 construction of the project an amount not to exceed six hundred sixteen thousand four hundred dollars ($616,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred sixteen thousand four hundred dollars ($616,400.00) 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, 2020;

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

Source notes for subsection (m): (Laws 2015, Ch. 23, § 1.)

(n) Project – Pine Haven Well and Tank:

(i) Project sponsor: Town of Pine Haven;

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

(iii) Project description: Design and construction of a transmission pipeline, storage tank, new well, disinfection improvements, control system upgrade, tank demolition and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million one hundred thousand dollars ($3,100,000.00);

(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 construction of the

project an amount not to exceed two million seventy-seven thousand dollars ($2,077,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million seventy-seven thousand dollars ($2,077,000.00) 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, 2020;

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

Source notes for subsection (n): (Laws 2015, Ch. 23, § 1.)

(o) Project – Sheridan Leopard Street Pipeline:

(i) Project sponsor: City of Sheridan;

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

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

(iv) Total project budget: Three million three hundred thousand dollars ($3,300,000.00);

(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 construction of the project an amount not to exceed two million two hundred eleven thousand dollars ($2,211,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million two hundred eleven thousand dollars ($2,211,000.00) 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, 2020;

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

Source notes for subsection (o): (Laws 2015, Ch. 23, § 1.)

(p) Project – Squaw Creek Water Supply:

(i) Project sponsor: Squaw Creek Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a pipeline, storage tank control system improvements and appurtenances necessary to make the project function in the manner intended;

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

(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 construction of the project an amount not to exceed three hundred eight thousand two hundred dollars ($308,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred eight thousand two hundred dollars ($308,200.00) 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, 2020;

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

Source notes for subsection (p): (Laws 2015, Ch. 23, § 1.)

(q) Project – Sweetwater Water Supply:

(i) Project sponsor: Sweetwater Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: Eight hundred forty thousand dollars ($840,000.00);

(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 construction of the project an amount not to exceed five hundred sixty-two thousand eight hundred dollars ($562,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred sixty-two thousand eight hundred dollars ($562,800.00) 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, 2020;

(vii) Special conditions:

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

(B) The expenditure of funds from this appropriation shall not occur until an acceptable water service agreement between the Sweetwater Improvement and Service District, the Cambria Improvement and Service District, and the Town of Newcastle is presented to the director of the water development office.

Source notes for subsection (q): (Laws 2015, Ch. 23, § 1.)

(r) Project – Weather Modification Big Horn, Laramie, Medicine Bow and Sierra Madre Mountains-2016:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Big Horn, Laramie, Medicine Bow and Sierra Madre Mountain Ranges;

(iii) Project description: Initiate an operational winter snowpack augmentation program for the four (4) project areas. Necessary components of the four (4) programs include public outreach, climatology, hydrology, conceptual design, permit procurement, project land procurement, evaluation of seeding agent delivery systems, procurement of generators, weather forecasting and operational costs;

(iv) Total project budget: One million four hundred forty-seven thousand five hundred dollars ($1,447,500.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office one million four hundred forty-seven thousand five hundred dollars ($1,447,500.00) 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 I on July 1, 2020;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program;

(B) This project shall develop an individual winter snowpack augmentation program for each of the four (4) target mountain ranges;

(C) Prior to commencing project operations, the Wyoming water development office shall seek funding commitments from other in-basin water users that may benefit from winter snowpack augmentation;

(D) Prior to commencing project operations, the commission shall review the project and make any recommendations to the select water committee regarding future legislative changes to the project and any proposed funding.

Source notes for subsection (r): (Laws 2015, Ch. 23, § 1.)

(s) Project – Weather Modification Wind River Mountains-2016:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain Range;

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2015-2016 fall, winter and spring seasons;

(iv) Total project budget: Six hundred fifty thousand dollars ($650,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office one hundred seventy thousand dollars ($170,000.00) 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, 2017;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Ten thousand dollars ($10,000.00) of the total appropriation is allocated for this purpose;

(B) The project operations budget shall not exceed six hundred forty thousand dollars ($640,000.00) of which the state of Wyoming shall participate at a rate of twenty-five percent (25%) of actual project operations costs;

(C) Prior to commencing project operations, the Wyoming water development office shall acquire funding commitments from other Colorado River basin water users for seventy-five percent (75%) of actual project operations costs.

Source notes for subsection (s): (Laws 2015, Ch. 23, § 1.)

(t) Project – Wheatland No. 7 Well:

(i) Project sponsor: Town of Wheatland;

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

(iii) Project description: Design and construction of a new well, pumping equipment, pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred fifty thousand dollars ($750,000.00);

(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 construction of the project an amount not to exceed five hundred two thousand five hundred dollars ($502,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred two thousand five hundred dollars ($502,500.00) 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 I on July 1, 2020;

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

Source notes for subsection (t): (Laws 2015, Ch. 23, § 1.)

99-3-2004. 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.

Source notes for subsection (a): (Laws 2015, Ch. 23, § 1.)

(b) Project – Big Horn Canal Underway:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One hundred seventy-five thousand dollars ($175,000.00);

(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 one hundred seventeen thousand two hundred fifty dollars ($117,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 fifty-seven thousand seven hundred fifty dollars ($57,750.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred seventy-five thousand dollars ($175,000.00) 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, 2020.

Source notes for subsection (b): (Laws 2015, Ch. 23, § 1.)

(c) Project – Casper Alcova Rehabilitation 2015:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred eighty thousand dollars ($280,000.00);

(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 hundred eighty-seven thousand six hundred dollars ($187,600.00) or sixty-seven

percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred eighty-seven thousand six hundred dollars ($187,600.00) 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, 2020;

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

Source notes for subsection (c): (Laws 2015, Ch. 23, § 1.)

(d) Project – Dull Knife Reservoir Spillway Rehabilitation:

(i) Project sponsor: Dull Knife Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of dam spillway improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six million two hundred forty thousand dollars ($6,240,000.00);

(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 one hundred eighty-four thousand dollars ($2,184,000.00) or thirty-five percent (35%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million one hundred eighty-four thousand dollars ($2,184,000.00) 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, 2020;

(vii) Special conditions:

(A) The sponsor is responsible for acquiring sixty-five percent (65%) of the total project budget from other sources;

(B) The appropriation of funds for this project is contingent upon the 2015 legislature's approval and governor's approval of a supplemental budget request to provide additional funding for water development account II.Source notes for subsection (d): (Laws 2015, Ch. 23, § 1; 2017, Ch. 75, § 2; 2018, Ch. 121, § 2.)

(e) Project – Goshen Irrigation District-Guernsey Spillway Rehabilitation:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of the spillway gate rehabilitation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred seventy-one thousand dollars ($671,000.00);

(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 four hundred forty-nine thousand five hundred seventy dollars ($449,570.00) or sixty-seven percent (67%) of the actual and eligible development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred forty-nine thousand five hundred seventy dollars ($449,570.00) 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, 2020;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the 2015 legislature's approval and governor's approval of a supplemental budget request to provide additional funding for water development account II.

Source notes for subsection (e): (Laws 2015, Ch. 23, § 1.)

(f) Project – Hill Irrigation District-Guernsey Spillway Rehabilitation:

(i) Project sponsor: Hill Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of the spillway gate rehabilitation and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Fifty-five thousand dollars ($55,000.00);

(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 thirty-six thousand eight hundred fifty dollars ($36,850.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission thirty-six thousand eight hundred fifty dollars ($36,850.00) 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, 2020.

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the 2015 legislature's approval and governor's approval of a supplemental budget request to provide additional funding for water development account II.

Source notes for subsection (f): (Laws 2015, Ch. 23, § 1.)

(g) Project – Midvale Bull Lake Rehabilitation 2015:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of dam rehabilitation improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million nine hundred sixty thousand dollars ($3,960,000.00);

(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 an amount not to exceed two million six hundred fifty-three thousand two hundred dollars ($2,653,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million six hundred fifty-three thousand two hundred dollars ($2,653,200.00) 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, 2020;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the 2015 legislature’s approval and governor’s approval of a supplemental budget request to provide additional funding for water development account II;

(C) Prior to commencing project operations, the commission shall review the project and make any recommendations to the select water committee regarding future legislative changes to the project and any proposed funding.

Source notes for subsection (g): (Laws 2015, Ch. 23, § 1.)

(h) Project – Savery-Little Snake-Battle Creek Diversions:

(i) Project sponsor: Savery-Little Snake Water Conservancy District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million three hundred thousand dollars ($1,300,000.00);

(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 eight hundred seventy-one thousand dollars ($871,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred seventy-one thousand dollars ($871,000.00) 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, 2020;

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

Source notes for subsection (h): (Laws 2015, Ch. 23, § 1.)

(j) Project – Sheridan 4 MG WTP Tank:

(i) Project sponsor: City of Sheridan;

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

(iii) Project description: Design and construction of the rehabilitation of an existing storage tank and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million two hundred thousand dollars ($3,200,000.00);

(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 two million one hundred forty-four thousand dollars ($2,144,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission two million one hundred forty-four thousand dollars ($2,144,000.00) 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, 2020;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the 2015 legislature's approval and governor's approval of a supplemental budget request to provide additional funding for water development account II.

Source notes for subsection (j): (Laws 2015, Ch. 23, § 1.)

(k) Project – Shoshone Irrigation District Rehabilitation 2015:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of water lateral improvements, structure replacements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five hundred sixty thousand dollars ($560,000.00);

(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 approved by the commission an amount not to exceed two hundred ninety thousand dollars ($290,000.00) 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 two hundred ninety thousand dollars ($290,000.00) 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, 2020;

(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 approved by the commission;

(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.

Source notes for subsection (k): (Laws 2015, Ch. 23, § 1.)

(m) Project – Wheatland Irrigation District Rehabilitation 2015:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of dam and structure rehabilitation improvements, lateral siphons and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million three hundred five thousand dollars ($1,305,000.00);

(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 eight hundred seventy-four thousand three hundred fifty dollars ($874,350.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred seventy-four thousand three hundred fifty dollars ($874,350.00) 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, 2020;

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

Source notes for subsection (m): (Laws 2015, Ch. 23, § 1.)

(n) Project – Wind River Irrigation Rehabilitation 2015:

(i) Project sponsor: Eastern Shoshone and Northern Arapaho Indian Tribes;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two million two hundred twelve thousand one hundred twenty-one dollars ($2,212,121.00);

(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 one million four hundred eighty-two thousand one hundred twenty-one dollars ($1,482,121.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million four hundred eighty-two thousand one hundred twenty-one dollars ($1,482,121.00) 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, 2020;

(vii) Special conditions:

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

(B) The appropriation of funds for this project is contingent upon the 2015 legislature's approval and governor's approval of a supplemental budget request to provide additional funding for water development account II.

Source notes for subsection (n): (Laws 2015, Ch. 23, § 1.)

99-3-2005. Level III construction projects – Storage.

(a) Authorization is granted for the Level III storage construction projects identified in this section, subject to the general conditions specified in W.S. 99-3-106.

Source notes for subsection (a): (Laws 2015, Ch. 23, § 1.)

(b) Project – Sheridan Supplemental Storage Level III:

(i) Project sponsor: City of Sheridan and Sheridan Area Water Supply Joint Powers Board;

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

(iii) Project description: Acquisition of shares of ownership in Park Reservoir located in Sheridan County;

(iv) Total project budget: Eight million four hundred thousand dollars ($8,400,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account III through the commission for the acquisition of existing reservoir water storage an amount not to exceed five million six hundred twenty-eight thousand dollars ($5,628,000.00) or sixty-seven percent (67%) of the actual acquisition costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account III to the commission five million six hundred twenty-eight thousand dollars ($5,628,000.00) 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, 2020;

(vii) Special conditions:

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

(B) The funds from this appropriation shall not be used for any acquisition involving eminent domain;

(C) The funds from this appropriation shall not be used for acquisition costs in excess of four thousand two hundred dollars ($4,200.00) per acre-foot of water.

Source notes for subsection (b): (Laws 2015, Ch. 23, § 1.)

ARTICLE 21 - 2016 CONSTRUCTION PROJECTS

99-3-2101. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2016, Ch. 55, § 1.)

99-3-2102. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2016, Ch. 55, § 1.)

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

(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.

Source Notes for subsection (a): (Laws 2016, Ch. 55, § 1.)

(b) Project - Arapahoe Water Supply 2016:

(i) Project sponsor: Northern Arapaho Indian Tribe;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: Three million three hundred fifty-five thousand dollars ($3,355,000.00);

(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 construction of the project an amount not to exceed two million two hundred forty-seven thousand eight hundred fifty dollars ($2,247,850.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(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 funds appropriated under this subsection shall revert to water development account I on July 1, 2021;

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

Source Notes for subsection (b): (Laws 2016, Ch. 55, § 1.)

(c) Project – Buffalo Main Street Pipeline:

(i) Project sponsor: City of Buffalo;

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

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

(iv) Total project budget: Two hundred thirty thousand dollars ($230,000.00);

(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 construction of the project an amount not to exceed one hundred fifty-four thousand one hundred dollars ($154,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred fifty-four thousand one hundred dollars ($154,100.00) 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, 2021;

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

Source Notes for subsection (c): (Laws 2016, Ch. 55, § 1.)

(d) Project – Buffalo Tank Valve:

(i) Project sponsor: City of Buffalo;

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

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

(iv) Total project budget: One hundred seventy-five thousand dollars ($175,000.00);

(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 construction of the project an amount not to exceed one hundred seventeen thousand two hundred fifty dollars ($117,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred seventeen thousand two hundred fifty dollars ($117,250.00) 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, 2021;

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

Source Notes for subsection (d): (Laws 2016, Ch. 55, § 1.)

(e) Project – Deaver Transmission Pipeline:

(i) Project sponsor: Town of Deaver;

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

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

(iv) Total project budget: One million one hundred fifty thousand dollars ($1,150,000.00);

(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 construction of the project an amount not to exceed seven hundred seventy thousand five hundred dollars ($770,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred seventy thousand five hundred dollars ($770,500.00) 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 I on July 1, 2021;

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

Source Notes for subsection (e): (Laws 2016, Ch. 55, § 1.)

(f) Project – Dubois Well Acquisition:

(i) Project sponsor: Town of Dubois;

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

(iii) Project description: Purchase of an existing groundwater well currently owned by the commission;

(iv) Total project budget: Zero dollars ($0.00);

(v) Appropriation: The appropriation for this project is zero dollars ($0.00). The authorization approving the sale of this well shall expire on July 1, 2017;

(vi) Special conditions:

(A) The sponsor is responsible for acquiring one hundred percent (100%) of the total well purchase from other sources;

(B) The sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source Notes for subsection (f): (Laws 2016, Ch. 55, § 1.)

(g) Project – Gillette Regional Extensions-Phase II:

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Three million three hundred forty thousand dollars ($3,340,000.00);

(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 construction of the project an amount not to exceed two million two hundred thirty-seven thousand eight hundred dollars ($2,237,800.00) or

sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million two hundred thirty-seven thousand eight hundred dollars ($2,237,800.00) 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, 2021;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources. Source Notes for subsection (g): (Laws 2016, Ch. 55, § 1; 2017, Ch. 75, § 2.)

(h) Project – Greybull Transmission Pipeline:

(i) Project sponsor: Town of Greybull;

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

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

(iv) Total project budget: One million two hundred thirty thousand dollars ($1,230,000.00);

(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 construction of the project an amount not to exceed eight hundred twenty-four thousand one hundred dollars ($824,100.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission eight hundred twenty-four thousand one hundred dollars ($824,100.00) 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, 2021;

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

Source Notes for subsection (h): (Laws 2016, Ch. 55, § 1.)

(j) Project – Kemmerer Transmission Pipeline 2016:

(i) Project sponsor: Kemmerer-Diamondville Joint Powers Water Board;

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

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

(iv) Total project budget: One million seven hundred fifty thousand dollars ($1,750,000.00);

(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 construction of the project an amount not to exceed one million one hundred seventy-two thousand five hundred dollars ($1,172,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million one hundred seventy-two thousand five hundred dollars ($1,172,500.00) 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 I on July 1, 2021;

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

Source Notes for subsection (j): (Laws 2016, Ch. 55, § 1.)

(k) Project – Lander Transmission Pipeline 2016:

(i) Project sponsor: City of Lander;

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

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

(iv) Total project budget: Three million ninety-one thousand dollars ($3,091,000.00);

(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 construction of the project an amount not to exceed two million seventy thousand nine hundred seventy dollars ($2,070,970.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million seventy thousand nine hundred seventy dollars ($2,070,970.00) 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, 2021;

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

Source Notes for subsection (k): (Laws 2016, Ch. 55, § 1.)

(m) Project – Meeteetse Tank/SCADA/Retrofit:

(i) Project sponsor: Town of Meeteetse;

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

(iii) Project description: Design and construction of a pipeline, valves, supervisory control and data acquisition (SCADA) system upgrade and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred forty thousand dollars ($140,000.00);

(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 construction of the project an amount not to exceed ninety-three thousand eight hundred dollars ($93,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission ninety-three thousand eight hundred dollars ($93,800.00) 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, 2021;

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

Source Notes for subsection (m): (Laws 2016, Ch. 55, § 1.)

(n) Project – Shoshone Transmission Pipeline 2016:

(i) Project sponsor: Shoshone Municipal Water Joint Powers Board;

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

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

(iv) Total project budget: Six million seven hundred fifty thousand dollars ($6,750,000.00);

(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 construction of the project an amount not to exceed two million two hundred twenty-seven thousand five hundred dollars ($2,227,500.00) or thirty-three percent (33%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million two hundred

twenty-seven thousand five hundred dollars ($2,227,500.00) 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 I on July 1, 2021;

(vii) Special conditions: The sponsor is responsible for acquiring sixty-seven percent (67%) of the total project budget from other sources.

Source Notes for subsection (n): (Laws 2016, Ch. 55, § 1.)

(o) Project – South Big Horn County Pipeline:

(i) Project sponsor: South Big Horn County Rural Water District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: Five million three hundred ten thousand dollars ($5,310,000.00);

(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 construction of the project an amount not to exceed three million five hundred fifty-seven thousand seven hundred dollars ($3,557,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million five hundred fifty-seven thousand seven hundred dollars ($3,557,700.00) 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, 2021;

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

Source Notes for subsection (o): (Laws 2016, Ch. 55, § 1.)

(p) Project – Sundance PRV Improvements 2016:

(i) Project sponsor: Town of Sundance;

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

(iii) Project description: Design and construction of pressure reducing valve (PRV) improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred five thousand dollars ($205,000.00);

(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 construction of the project an amount not to exceed one hundred thirty-seven thousand three hundred fifty dollars ($137,350.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred thirty-seven thousand three hundred fifty dollars ($137,350.00) 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, 2021;

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

Source Notes for subsection (p): (Laws 2016, Ch. 55, § 1.)

(q) Project – Sundance Transmission Pipeline 2016:

(i) Project sponsor: Town of Sundance;

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

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

(iv) Total project budget: One million sixty-five thousand dollars ($1,065,000.00);

(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 construction of the project an amount not to exceed seven hundred thirteen thousand five hundred fifty dollars ($713,550.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred thirteen thousand five hundred fifty dollars ($713,550.00) 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, 2021;

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

Source Notes for subsection (q): (Laws 2016, Ch. 55, § 1.)

(r) Project – Weather Modification Wind River Mountains 2017:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain Range;

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2016-2017 fall, winter and spring seasons;

(iv) Total project budget: Six hundred ten thousand dollars ($610,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office one hundred sixty thousand dollars ($160,000.00) 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, 2018;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Ten thousand dollars ($10,000.00) of the total appropriation is allocated for this purpose;

(B) The project operations budget shall not exceed six hundred thousand dollars ($600,000.00) of which the state of Wyoming shall participate at a rate of twenty-five percent (25%) of actual project operations costs;

(C) 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 seventy-five percent (75%) of actual project operations costs;

(D) If the state of Wyoming is unable to secure adequate funding commitments and 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.

Source Notes for subsection (r): (Laws 2016, Ch. 55, § 1.)

(s) Project – Wheatland Pipelines:

(i) Project sponsor: Town of Wheatland;

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

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

(iv) Total project budget: Seven hundred eighty thousand dollars ($780,000.00);

(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 construction of the project an amount not to exceed five hundred twenty-two thousand six hundred dollars ($522,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred twenty-two thousand six hundred dollars ($522,600.00) 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, 2021;

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

Source Notes for subsection (s): (Laws 2016, Ch. 55, § 1.)

99-3-2104. 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.

Source Notes for subsection (a): (Laws 2016, Ch. 55, § 1.)

(b) Project – Casper Alcova Underdrain 2016:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Five hundred fifty-two thousand dollars ($552,000.00);

(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 three hundred sixty-nine thousand eight hundred forty dollars ($369,840.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission three hundred sixty-nine thousand eight hundred forty dollars ($369,840.00) 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, 2021;

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

Source Notes for subsection (b): (Laws 2016, Ch. 55, § 1.)

(c) Project – Cokeville Tri-Diversion Structure:

(i) Project sponsor: Cokeville Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Six hundred eleven thousand nine hundred forty-five dollars ($611,945.00);

(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 three hundred eighty-eight thousand nine hundred thirty-five dollars ($388,935.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred thirty-two thousand dollars ($132,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty (20) 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: There is appropriated from water development account II to the commission five hundred twenty thousand nine hundred thirty-five dollars ($520,935.00) 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, 2022.

Source notes for subsection (c): (Laws 2016, Ch. 55, § 1; 2019, Ch. 55, § 2.)

(d) Project – Lakeview Irrigation District Rehabilitation 2016:

(i) Project sponsor: Lakeview Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Two hundred ninety thousand dollars ($290,000.00);

(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 hundred ninety-four thousand three hundred dollars ($194,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred ninety-four thousand three hundred dollars ($194,300.00) 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 II on July 1, 2021;

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

Source Notes for subsection (d): (Laws 2016, Ch. 55, § 1.)

(e) Project – LeClair Irrigation District Rehabilitation 2016:

(i) Project sponsor: LeClair Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Seven hundred sixty thousand dollars ($760,000.00);

(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 five hundred nine thousand two hundred dollars ($509,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 fifty thousand eight hundred dollars ($250,800.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of twenty-five (25) 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: There is appropriated from water development account II to the commission seven hundred sixty thousand dollars ($760,000.00) 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, 2017.

Source Notes for subsection (e): (Laws 2016, Ch. 55, § 1; 2017, Ch. 75, § 2.)

(f) Project – Leiter Ditch Rehabilitation 2016:

(i) Project sponsor: Lower Clear Creek Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million three hundred ten thousand dollars ($1,310,000.00);

(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 eight hundred seventy-seven thousand seven hundred dollars ($877,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 four hundred thirty-two thousand three hundred dollars ($432,300.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) 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: There is appropriated from water development account II to the commission one million three hundred ten thousand dollars ($1,310,000.00) 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, 2021.

Source Notes for subsection (f): (Laws 2016, Ch. 55, § 1.)

(g) Project – Midvale Sand Butte 2 Lateral:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million four hundred seventy thousand dollars ($1,470,000.00);

(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 seven hundred seventy thousand dollars ($770,000.00) 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 seven hundred seventy thousand dollars ($770,000.00) 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, 2021;

(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;

(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.

Source Notes for subsection (g): (Laws 2016, Ch. 55, § 1.)

(h) Project – Sidon Irrigation District Rehabilitation 2016:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Six hundred thirty-seven thousand two hundred dollars ($637,200.00);

(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 three hundred fifty-two thousand five hundred dollars ($352,500.00) 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 three hundred fifty-two thousand five hundred dollars ($352,500.00) 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, 2021;

(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;

(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.

Source Notes for subsection (h): (Laws 2016, Ch. 55, § 1.)

(j) Project – Willwood Irrigation District Rehabilitation 2016:

(i) Project sponsor: Willwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Nine hundred eighty-eight thousand dollars ($988,000.00);

(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 five hundred thirty-three thousand dollars ($533,000.00) 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 five hundred thirty-three thousand dollars ($533,000.00) 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, 2021;

(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;

(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.

Source Notes for subsection (j): (Laws 2016, Ch. 55, § 1.)

ARTICLE 22 - 2017 CONSTRUCTION PROJECTS

99-3-2201. Definitions.

The definitions in W.S. 99-3-101 apply to this article. (Laws 2017, Ch. 75, § 1.)

99-3-2202. General authorization.

The provisions of W.S. 99-3-102 apply to this article. (Laws 2017, Ch. 75, § 1.)

99-3-2203. Level III construction projects – new development.

(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 the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-103(a)(iii) shall not apply to these projects.

Source notes for subsection (a): (Laws 2017, Ch. 75, § 1; 2019, Ch. 55, § 2.)

(b) Project – Broken Wheel Ranch Water Supply 2017:

(i) Project sponsor: Broken Wheel Ranch Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of groundwater well, well improvements, storage tank, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred fifteen thousand dollars ($915,000.00);

(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 construction of the project an amount not to exceed six hundred thirteen thousand fifty dollars ($613,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission six hundred thirteen thousand fifty dollars ($613,050.00) 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, 2022;

(vii) Special conditions:

(A) Funds from this appropriation shall not be expended until the formation of the Broken Wheel Ranch Improvement and Service District has been approved by Lincoln County;

(B) The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

Source Notes for subsection (b): (Laws 2017, Ch. 75, § 1.)

(c) Project – Cody Tank 2017:

(i) Project sponsor: City of Cody;

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

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

(iv) Total project budget: Three million six hundred thousand dollars ($3,600,000.00);

(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 construction of the project an amount not to exceed two million four hundred twelve thousand dollars ($2,412,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million four hundred twelve thousand dollars ($2,412,000.00) 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, 2022;

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

Source Notes for subsection (c): (Laws 2017, Ch. 75, § 1.)

(d) Project – Cowley Tank 2017:

(i) Project sponsor: Town of Cowley;

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

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

(iv) Total project budget: Four million seven hundred ten thousand dollars ($4,710,000.00);

(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 construction of the project an amount not to exceed three million one hundred fifty-five thousand seven hundred dollars ($3,155,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three million one hundred fifty-five thousand seven hundred dollars ($3,155,700.00) 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, 2022;

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

Source Notes for subsection (d): (Laws 2017, Ch. 75, § 1.)

(e) Project – Gillette Regional Extensions 2017:

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Four million one hundred ten thousand dollars ($4,110,000.00);

(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 construction of the project an amount not to exceed two million seven hundred fifty-three thousand seven hundred dollars ($2,753,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two million seven hundred fifty-three thousand seven hundred dollars ($2,753,700.00) 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, 2022;

(vii) Special conditions:

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

(B) The sponsor shall authorize water use in Crook County, subject to the following conditions:

(I) A total of five (5) municipal use, including stock use, taps will be provided from the existing eight (8) inch and twelve (12) inch diameter treated water pipelines located generally in the vicinity of the City of Gillette's Madison Well Field in Crook County on a first come, first served basis;

(II) Any additional or existing taps in Crook County located on the eight (8) and twelve (12) inch diameter treated water pipelines shall be used solely for rural domestic use;

(III) Existing water service agreements in Crook County shall remain in full force and effect;

(IV) Any new water service agreement entered into under this subparagraph shall be similar in form to existing individual and wholesale water service agreements previously executed prior to 2018 in Crook and Campbell counties;

(V) The water rates, connection charges and fees associated with taps provided under this subparagraph shall be identical to similar rates, charges and fees assessed to city of Gillette water customers, in accordance with city ordinances;

(VI) Any additional or future water districts formed in the immediate vicinity of the City of Gillette's Madison Well Field shall be able to connect to the eight (8) and twelve (12) inch diameter treated water pipelines.

The water districts shall be served as a regional, wholesale water customer. Any new district shall own, operate and maintain their system downstream of a master meter. The city shall own the water pipelines and infrastructure from the eight (8) and twelve (12) inch diameter treated water pipelines up to and including the master meter within the control building. The city has no obligation to plan, finance, develop or construct an additional or future regional extension project in Crook County; and

(VII) New water customers from the existing eight (8) and twelve (12) inch diameter treated water pipelines shall be limited to forty thousand (40,000) gallons per month for rural domestic use and eighty thousand (80,000) gallons per month for municipal use, including stock use, during the city's high demand months of June, July, August and September.

Source Notes for subsection (e): (Laws 2017, Ch. 75, § 1; 2018, Ch. 121, § 2; 2019, Ch. 55, § 2.)

(f) Project – Glenrock Transmission Pipeline 2017:

(i) Project sponsor: Town of Glenrock;

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

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

(iv) Total project budget: Three hundred eighty thousand dollars ($380,000.00);

(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 construction of the project an amount not to exceed two hundred fifty-four thousand six hundred dollars ($254,600.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred fifty-four thousand six hundred dollars ($254,600.00) 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, 2022;

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

Source Notes for subsection (f): (Laws 2017, Ch. 75, § 1.)

(g) Project – High Meadow Ranch Well, Tank and Pipeline 2017:

(i) Project sponsor: High Meadow Ranch Water District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of well improvements, storage tank and transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million nine hundred seventy-three thousand dollars ($2,973,000.00);

(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 construction of the project an amount not to exceed one million nine hundred ninety-one thousand nine hundred ten dollars ($1,991,910.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million nine hundred ninety-one thousand nine hundred ten dollars ($1,991,910.00) 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, 2022;

(vii) Special conditions:

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

(B) In addition to the amount under subparagraph (A) of this paragraph, the sponsor is responsible for acquiring one hundred percent (100%) of the total well purchase price from other sources;

(C) The sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source Notes for subsection (g): (Laws 2017, Ch. 75, § 1.)

(h) Project – Opal Well Improvements 2017:

(i) Project sponsor: Town of Opal;

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

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

(iv) Total project budget: Seven thousand dollars ($7,000.00);

(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 construction of the project an amount not to exceed four thousand six hundred ninety dollars ($4,690.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four thousand six hundred ninety dollars ($4,690.00) 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, 2022;

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

Source Notes for subsection (h): (Laws 2017, Ch. 75, § 1.)

(j) Project – Pineview Tank and Booster Pump 2017:

(i) Project sponsor: Pineview Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: Five hundred fifty thousand dollars ($550,000.00);

(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 construction of the project an amount not to exceed three hundred sixty-eight thousand five hundred dollars ($368,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission three hundred sixty-eight thousand five hundred dollars ($368,500.00) 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 I on July 1, 2022;

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

Source Notes for subsection (j): (Laws 2017, Ch. 75, § 1.)

(k) Project – Pioneer Transmission Pipeline 2017:

(i) Project sponsor: Pioneer Water and Sewer District;

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

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

(iv) Total project budget: One million eight hundred sixty thousand dollars ($1,860,000.00);

(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 construction of the project an amount not to exceed one million two hundred forty-six thousand two hundred dollars ($1,246,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million two hundred forty-six thousand two hundred dollars ($1,246,200.00) 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, 2022;

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

Source Notes for subsection (k): (Laws 2017, Ch. 75, § 1.)

(m) Project – Thayne Tank 2017:

(i) Project sponsor: Town of Thayne;

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

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

(iv) Total project budget: Eight hundred eighty thousand dollars ($880,000.00);

(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 construction of the project an amount not to exceed five hundred eighty-nine thousand six hundred dollars ($589,600.00) or sixty-seven

percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred eighty-nine thousand six hundred dollars ($589,600.00) 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, 2022;

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

Source Notes for subsection (m): (Laws 2017, Ch. 75, § 1.)

(n) Project – Weather Modification Wind River Mountains 2018:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain Range;

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2017-2018 fall, winter and spring seasons;

(iv) Total project budget: Five hundred ninety thousand dollars ($590,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office one hundred fifty-five thousand dollars ($155,000.00) 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, 2019;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Ten thousand dollars ($10,000.00) of the total appropriation is allocated for this purpose;

(B) The project operations budget shall not exceed five hundred eighty thousand dollars ($580,000.00) of

which the state of Wyoming shall participate at a rate of twenty-five percent (25%) of actual project operations costs;

(C) 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 seventy-five percent (75%) of actual project operations costs;

(D) If the state of Wyoming is unable to secure adequate funding commitments and 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.

Source Notes for subsection (n): (Laws 2017, Ch. 75, § 1.)

(o) Project – Wheatland Wells 2017:

(i) Project sponsor: Town of Wheatland;

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

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

(iv) Total project budget: One million four hundred eighty-five thousand dollars ($1,485,000.00);

(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 construction of the project an amount not to exceed nine hundred ninety-four thousand nine hundred fifty dollars ($994,950.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission nine hundred ninety-four thousand nine hundred fifty dollars ($994,950.00) 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, 2022;

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

Source Notes for subsection (o): (Laws 2017, Ch. 75, § 1.)

99-3-2204. 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 the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-104(a)(iii) shall not apply to these projects.

Source Notes for subsection (a): (Laws 2017, Ch. 75, § 1; 2019, Ch. 55, § 2.)

(b) Project – Casper CY Booster Station Replacement 2017:

(i) Project sponsor: City of Casper;

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

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

(iv) Total project budget: One million two hundred seventy-three thousand dollars ($1,273,000.00);

(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 eight hundred fifty-two thousand nine hundred ten dollars ($852,910.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission eight hundred fifty-two thousand nine hundred ten dollars ($852,910.00) 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, 2022;

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

Source Notes for subsection (b): (Laws 2017, Ch. 75, § 1.)

(c) Project – Deaver Irrigation District Flume Replacement/Laterals 2017:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of a water flume, lateral improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred thirty-eight thousand four hundred thirty-three dollars ($338,433.00);

(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 ninety-one thousand dollars ($91,000.00) 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 ninety-one thousand dollars ($91,000.00) 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, 2022;

(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;

(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.

Source Notes for subsection (c): (Laws 2017, Ch. 75, § 1.)

(d) Project – Dry Creek Irrigation District Pipeline Replacement 2017:

(i) Project sponsor: Dry Creek Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Six hundred seventy thousand dollars ($670,000.00);

(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 four hundred forty-eight thousand nine hundred dollars ($448,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 twenty-one thousand one hundred dollars ($221,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) 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: There is appropriated from water development account II to the commission six hundred seventy thousand dollars ($670,000.00) 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, 2022.

Source Notes for subsection (d): (Laws 2017, Ch. 75, § 1.)

(e) Project – Goshen Irrigation District Rehabilitation 2017:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Three hundred ninety-eight thousand five hundred twenty-six dollars ($398,526.00);

(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 two hundred fourteen thousand dollars ($214,000.00) 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 two hundred fourteen thousand dollars ($214,000.00) 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, 2022;

(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;

(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.

Source Notes for subsection (e): (Laws 2017, Ch. 75, § 1.)

(f) Project – Heart Mountain Irrigation District Rehabilitation 2017:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: one million one hundred sixty-three thousand six hundred eight-two dollars ($1,163,682.00);

(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 four hundred ten thousand dollars ($410,000.00) 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 four hundred ten thousand dollars ($410,000.00) 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, 2022;

(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;

(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.

Source Notes for subsection (f): (Laws 2017, Ch. 75, § 1.)

(g) Project – LeClair Irrigation District Rehabilitation 2017:

(i) Project sponsor: LeClair Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: One million seven hundred fifty-three thousand dollars ($1,753,000.00);

(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 seventy-four thousand five hundred ten dollars ($1,174,510.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 three hundred fifty-six thousand four hundred dollars ($356,400.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) 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: There is appropriated from water development account II to the commission one million five hundred thirty thousand nine hundred ten dollars ($1,530,910.00) 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, 2022;

(viii) Special conditions: The sponsor is responsible for acquiring an additional two hundred twenty-two thousand ninety dollars ($222,090.00) from other sources to supplement the loan of three hundred fifty-six thousand four hundred dollars ($356,400.00). The combined total of these two (2) funding sources is five hundred seventy-eight thousand four hundred ninety dollars ($578,490.00) which equals thirty-three percent (33%) of the total project budget.

Source Notes for subsection (g): (Laws 2017, Ch. 75, § 1.)

(h) Project – Midvale Pilot 27.0 A Lateral 2017:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Five hundred fifty-five thousand dollars ($555,000.00);

(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 three hundred fifty-five thousand dollars ($355,000.00) 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 three hundred fifty-five thousand dollars ($355,000.00) 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, 2022;

(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;

(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.

Source Notes for subsection (h): (Laws 2017, Ch. 75, § 1.)

(j) Project – Shoshone Irrigation District Rehabilitation 2017:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Four hundred eighty-two thousand dollars ($482,000.00);

(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 two hundred thirty-four thousand dollars ($234,000.00) 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 two hundred thirty-four thousand dollars ($234,000.00) 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, 2022;

(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;

(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.

Source Notes for subsection (j): (Laws 2017, Ch. 75, § 1.)

(k) Project – Sidon Irrigation District Rehabilitation 2017:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Agriculture water supply;

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

(iv) Total project budget: Eight hundred fifty-nine thousand seven hundred forty dollars ($859,740.00);

(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 four hundred eighty-three thousand dollars ($483,000.00) 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 four hundred eighty-three thousand dollars ($483,000.00) 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, 2022;

(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;

(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.

Source Notes for subsection (k): (Laws 2017, Ch. 75, § 1.)

(m) Project – Thermopolis Pipeline Replacement 2017:

(i) Project sponsor: Town of Thermopolis;

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

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

(iv) Total project budget: Two million three hundred six thousand two hundred sixty-seven dollars ($2,306,267.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million five hundred forty-five thousand two hundred dollars ($1,545,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one million five hundred forty-five thousand two hundred dollars ($1,545,200.00) 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, 2022;

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

Source Notes for subsection (m): (Laws 2017, Ch. 75, § 1.)

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

(a) Authorization is granted for the Level III dams and reservoirs construction projects identified in this section subject to the general conditions specified in W.S. 99-3-106, provided that the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-106(a)(iii) shall not apply to these projects.

Source Notes for subsection (a): (Laws 2017, Ch. 75, § 1; 2019, Ch. 55, § 2.)

(b) Project – Big Sandy Reservoir Enlargement:

(i) Project sponsor: Eden Valley Irrigation and Drainage District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Modification and raising of Big Sandy Dam to create a reservoir enlargement of approximately thirteen thousand five hundred (13,500) acre feet and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight million four hundred thousand dollars ($8,400,000.00);

(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 six million seven hundred twenty thousand dollars ($6,720,000.00) or eighty percent (80%) of the actual development costs, whichever is less;

(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 six hundred eighty thousand dollars ($1,680,000.00) or twenty percent (20%) 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: There is appropriated from water development account III to the commission eight million four hundred thousand dollars ($8,400,000.00) 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, 2023;

(viii) Special conditions: The state of Wyoming acting through the water development commission is hereby authorized to contract with the United States Bureau of Reclamation for the construction engineering and construction of the project as provided in this subsection.

Source Notes for subsection (b): (Laws 2017, Ch. 75, § 1.)

(c) Project – Middle Piney Reservoir:

(i) Project sponsor: State of Wyoming;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Reconstruction of the Middle Piney Dam to recover and make usable approximately three thousand three hundred seventy (3,370) acre feet of the reservoir water right with a priority date of 1919 and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Fourteen million two hundred twenty-eight thousand dollars ($14,228,000.00);

(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, 2022;

(vi) Special conditions:

(A) Prior to commencing construction, the state of Wyoming acting through the water development commission shall secure a special use permit from the United States – Bridger-Teton National Forest to authorize construction of the Middle Piney Dam;

(B) Prior to commencing construction, the state of Wyoming acting through the water development commission shall secure a special use permit or other agreement from the United States – Bridger-Teton National Forest to authorize the commission to operate the dam and manage the storage water once construction is complete;

(C) The state of Wyoming acting through the water development commission is hereby authorized to contract with the United States – Bridger-Teton National Forest for the construction engineering and construction of the project as provided in this subsection;

(D) Upon approval by the commission, five hundred thousand dollars ($500,000.00) from this appropriation shall be deposited in the Middle Piney reservoir account created by W.S. 99-99-1001(a)(x).

Source Notes for subsection (c): (Laws 2017, Ch. 75, § 1; 2019, Ch. 55, § 2.)

(d) Project – Alkali Creek Reservoir:

(i) Project sponsor: Nowood River Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Construction of a new dam on Alkali Creek which will impound approximately eight thousand (8,000) acre feet, to include water supply facilities and appurtenances necessary to make the project function in the manner intended;

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

(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 thirty-two million nine hundred thousand dollars ($32,900,000.00) or ninety-four percent (94%) of the actual development costs, whichever is less;

(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 two million one hundred thousand dollars ($2,100,000.00) or six percent (6%) 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: There is appropriated from water development account III to the commission thirty-five million dollars ($35,000,000.00) 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, 2025.

Source Notes for subsection (d): (Laws 2017, Ch. 75, § 1.)

(e) Project – Leavitt Reservoir Expansion:

(i) Project sponsor: Shell Valley Watershed Improvement District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Construction of a new off-channel dam which will impound approximately six thousand six hundred (6,600) acre feet, to include water supply facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Forty-one million dollars ($41,000,000.00);

(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 thirty-nine million three hundred nineteen thousand dollars ($39,319,000.00) or ninety-five and nine-tenths percent (95.9%) of the actual development costs, whichever is less;

(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 six hundred eighty-one thousand dollars ($1,681,000.00) or four and one-tenth percent (4.1%) 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: There is appropriated from water development account III to the commission forty-one million dollars ($41,000,000.00) 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, 2025.

Source Notes for subsection (e): (Laws 2017, Ch. 75, § 1.)

ARTICLE 23 - 2018 CONSTRUCTION PROJECTS

99-3-2301. Definitions.

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

Source Notes: (Laws 2018, Ch. 121, § 1.)

99-3-2302. General authorization.

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

Source Notes: (Laws 2018, Ch. 121, § 1.)

99-3-2303. Level III construction projects – new development.

(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 the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-103(a)(iii) shall not apply to these projects.

Source Notes for subsection (a): (Laws 2018, Ch. 121, § 1, 2019, Ch. 55, § 2.)

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

(i) Project sponsor: City of Gillette;

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

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

(iv) Total project budget: Two million two hundred fifty-seven thousand dollars ($2,257,000.00);

(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 construction of the project an amount not to exceed one million five hundred twelve thousand one hundred ninety dollars ($1,512,190.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million five hundred twelve thousand one hundred ninety dollars ($1,512,190.00) 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, 2023;

(vii) Special conditions:

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

(B) The sponsor shall authorize water use in Crook County, subject to the following conditions:

(I) A total of five (5) municipal use, including stock use, taps will be provided from the existing eight (8) inch and twelve (12) inch diameter treated water pipelines located generally in the vicinity of the City of Gillette's Madison Well Field in Crook County on a first come, first served basis;

(II) Any additional or existing taps in Crook County located on the eight (8) and twelve (12) inch diameter treated water pipelines shall be used solely for rural domestic use;

(III) Existing water service agreements in Crook County shall remain in full force and effect;

(IV) Any new water service agreement entered into under this subparagraph shall be similar in form to existing individual and wholesale water service agreements previously executed prior to 2018 in Crook and Campbell counties;

(V) The water rates, connection charges and fees associated with taps provided under this subparagraph shall be identical to similar rates, charges and fees assessed to city of Gillette water customers, in accordance with city ordinances;

(VI) Any additional or future water districts formed in the immediate vicinity of the City of Gillette's Madison Well Field shall be able to connect to the eight (8) and twelve (12) inch diameter treated water pipelines. The water districts shall be served as a regional, wholesale

water customer. Any new district shall own, operate and maintain their system downstream of a master meter. The city shall own the water pipelines and infrastructure from the eight (8) and twelve (12) inch diameter treated water pipelines up to and including the master meter within the control building. The city has no obligation to plan, finance, develop or construct an additional or future regional extension project in Crook County; and

(VII) New water customers from the existing eight (8) and twelve (12) inch diameter treated water pipelines shall be limited to forty thousand (40,000) gallons per month for rural domestic use and eighty thousand (80,000) gallons per month for municipal use, including stock use, during the city's high demand months of June, July, August and September.

Source Notes for subsection (b): (Laws 2018, Ch. 121, § 1; 2019, Ch. 55, § 2.)

(c) Project – Glenrock Transmission Pipeline 2018:

(i) Project sponsor: Town of Glenrock;

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

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

(iv) Total project budget: Seven hundred eighty-five thousand dollars ($785,000.00);

(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 construction of the project an amount not to exceed five hundred twenty-five thousand nine hundred fifty dollars ($525,950.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred twenty-five thousand nine hundred fifty dollars ($525,950.00) 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, 2023;

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

Source Notes for subsection (c): (Laws 2018, Ch. 121, § 1.)

(d) Project – Lusk Water System Improvements 2018:

(i) Project sponsor: Town of Lusk;

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

(iii) Project description: Design and construction of a new well, plug existing well, pipelines and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Eight hundred fifteen thousand dollars ($815,000.00);

(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 construction of the project an amount not to exceed five hundred forty-six thousand fifty dollars ($546,050.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission five hundred forty-six thousand fifty dollars ($546,050.00) 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, 2023;

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

Source Notes for subsection (d): (Laws 2018, Ch. 121, § 1.)

(e) Project – Melody Ranch Water System Improvements 2018:

(i) Project sponsor: Melody Ranch Improvement and Service District;

(ii) Project purpose: Rural domestic water supply;

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

(iv) Total project budget: one million four hundred ten thousand dollars ($1,410,000.00);

(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 construction of the project an amount not to exceed nine hundred forty-four thousand seven hundred dollars ($944,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission nine hundred forty-four thousand seven hundred dollars ($944,700.00) 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, 2023;

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

Source Notes for subsection (e): (Laws 2018, Ch. 121, § 1.)

(f) Project – Newcastle Well 2018:

(i) Project sponsor: City of Newcastle;

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

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

(iv) Total project budget: Seven hundred forty thousand dollars ($740,000.00);

(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 construction of the project an amount not to exceed four hundred ninety-five thousand eight hundred dollars ($495,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred ninety-five thousand eight hundred dollars ($495,800.00) 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, 2023;

(vii) Special conditions:

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

(B) The sponsor is responsible for acquiring one hundred percent (100%) of the total well purchase price from other sources;

(C) The sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source Notes for subsection (f): (Laws 2018, Ch. 121, § 1.)

(g) Project – Northwest Rural Water System Improvements 2018:

(i) Project sponsor: Northwest Rural Water District;

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

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

(iv) Total project budget: One million six hundred seven thousand dollars ($1,607,000.00);

(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 construction of the project an amount not to exceed one million seventy-six thousand six hundred ninety dollars ($1,076,690.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million seventy-six thousand six hundred ninety dollars ($1,076,690.00) 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, 2023;

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

Source Notes for subsection (g): (Laws 2018, Ch. 121, § 1.)

(h) Project – Sheridan North Side Transmission Pipeline 2018:

(i) Project sponsor: City of Sheridan;

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

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

(iv) Total project budget: two million five hundred ninety thousand dollars ($2,590,000.00);

(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 construction of the project an amount not to exceed one million seven hundred thirty-five thousand three hundred dollars ($1,735,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million seven hundred thirty-five thousand three hundred dollars ($1,735,300.00) 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, 2023;

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

Source Notes for subsection (h): (Laws 2018, Ch. 121, § 1.)

(j) Project – Sundance Tank 2018:

(i) Project sponsor: Town of Sundance;

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

(iii) Project description: Design and construction of a new storage tank, demolition of existing tanks and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million seventy-nine thousand dollars ($1,079,000.00);

(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 construction of the project an amount not to exceed seven hundred twenty-two thousand nine hundred thirty dollars ($722,930.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred twenty-two thousand nine hundred thirty dollars ($722,930.00) 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, 2023;

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

Source Notes for subsection (j): (Laws 2018, Ch. 121, § 1.)

(k) Project – Weather Modification Wind River Mountains 2019:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain Range;

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2018-2019 fall, winter and spring seasons;

(iv) Total project budget: Four hundred ninety thousand dollars ($490,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office one hundred six thousand dollars ($106,000.00) 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, 2020;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Ten thousand dollars ($10,000.00) of the total appropriation is allocated for this purpose;

(B) The state of Wyoming shall participate at a rate of twenty percent (20%) of actual project operations costs not to exceed seventy thousand dollars ($70,000.00);

(C) 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 eighty percent (80%) of actual project operations costs;

(D) If the state of Wyoming is unable to secure adequate funding commitments and 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.

Source Notes for subsection (k): (Laws 2018, Ch. 121, § 1.)

99-3-2304. 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 the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-104(a)(iii) shall not apply to these projects.

Source Notes for subsection (a): (Laws 2018, Ch. 121, § 1; 2019, Ch. 55, § 2.)

(b) Project – Casper Alcova Irrigation District Underdrain 2018:

(i) Project sponsor: Casper Alcova Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Six hundred twenty-two thousand dollars ($622,000.00);

(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 four hundred sixteen thousand seven hundred forty dollars ($416,740.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred sixteen thousand seven hundred forty dollars ($416,740.00) 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, 2023;

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

Source Notes for subsection (b): (Laws 2018, Ch. 121, § 1.)

(c) Project – Cottonwood Irrigation District Pipeline Replacement 2018:

(i) Project sponsor: Cottonwood Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: eight hundred thirty-four thousand dollars ($834,000.00);

(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 five hundred fifty-eight thousand seven hundred eighty dollars ($558,780.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 seventy-five thousand two hundred twenty dollars ($275,220.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) 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: There is appropriated from water development account II to the commission eight hundred thirty-four thousand dollars ($834,000.00) 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, 2023.

Source Notes for subsection (c): (Laws 2018, Ch. 121, § 1.)

(d) Project – Deaver Irrigation District Rehabilitation 2018:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Design and construction of a replacement flume, lateral improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred sixty-four thousand dollars ($464,000.00);

(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 two hundred thirty thousand dollars ($230,000.00) 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 two hundred thirty thousand dollars ($230,000.00) 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, 2023;

(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;

(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.

Source Notes for subsection (d): (Laws 2018, Ch. 121, § 1.)

(e) Project – Goshen Irrigation District Check Structure 2018:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Six hundred ninety-nine thousand dollars ($699,000.00);

(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 four hundred sixty-eight thousand three hundred thirty dollars ($468,330.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission four hundred sixty-eight thousand three hundred thirty dollars ($468,330.00) 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, 2023;

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

Source Notes for subsection (e): (Laws 2018, Ch. 121, § 1.)

(f) Project – Hanover Irrigation District Cottonwood Spill/Check Replacement 2018:

(i) Project sponsor: Hanover Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Four hundred fourteen thousand dollars ($414,000.00);

(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 seventy-seven thousand three hundred eighty dollars ($277,380.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred thirty-six thousand six hundred twenty dollars ($136,620.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of fifteen (15) 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: There is appropriated from water development account II to the commission four hundred fourteen thousand dollars ($414,000.00) 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, 2023.

Source Notes for subsection (f): (Laws 2018, Ch. 121, § 1.)

(g) Project – Heart Mountain Irrigation District Rattlesnake Liner Replacement:

(i) Project sponsor: Heart Mountain Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Two million seven hundred thousand dollars ($2,700,000.00);

(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 nine thousand dollars ($1,809,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 eight hundred ninety-one thousand dollars ($891,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of forty (40) 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: There is appropriated from water development account II to the commission two million seven hundred thousand dollars ($2,700,000.00) 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, 2023.

Source Notes for subsection (g): (Laws 2018, Ch. 121, § 1.)

(h) Project – Midvale Irrigation District Rehabilitation 2018:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: one million four hundred ninety thousand dollars ($1,490,000.00);

(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 nine hundred ninety-five thousand dollars ($995,000.00) 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 nine hundred ninety-five thousand dollars ($995,000.00) 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, 2023;

(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;

(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.

Source Notes for subsection (h): (Laws 2018, Ch. 121, § 1.)

(j) Project – Riverton Valley Irrigation District Rehabilitation 2018:

(i) Project sponsor: Riverton Valley Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Two million one hundred seventy thousand dollars ($2,170,000.00);

(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 five hundred forty-two thousand five hundred dollars ($542,500.00) or twenty-five percent (25%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred forty-two thousand five hundred dollars ($542,500.00) 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, 2023;

(vii) Special conditions: The sponsor is responsible for acquiring seventy-five percent (75%) of the total project budget from other sources.

Source Notes for subsection (j): (Laws 2018, Ch. 121, § 1.)

(k) Project – Sidon Irrigation District Rehabilitation 2018:

(i) Project sponsor: Sidon Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: One million three hundred twenty-one thousand two hundred thirty dollars ($1,321,230.00);

(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 eight hundred twenty-three thousand dollars ($823,000.00) 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 eight hundred twenty-three thousand dollars ($823,000.00) 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, 2023;

(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;

(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.

Source Notes for subsection (k): (Laws 2018, Ch. 121, § 1.)

99-3-2305. Level III construction projects – dams and reservoirs.

(a) Authorization is granted for the Level III dams and reservoirs construction projects identified in this section subject to the general conditions specified in W.S. 99-3-106, provided that the general condition related to repair and maintenance sinking funds as described in W.S. 99-3-106(a)(iii) shall not apply to these projects.

Source Notes for subsection (a): (Laws 2018, Ch. 121, § 1; 2019, Ch. 55, § 2.)

(b) Project – West Fork Reservoir:

(i) Project sponsor: Savery-Little Snake Water Conservancy District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Construction of a new dam on the West Fork Battle Creek to create a reservoir impoundment of approximately ten thousand acre-feet (10,000 AF) and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seventy-three million dollars ($73,000,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account III through the commission an amount not to exceed four million six hundred ninety-eight thousand dollars ($4,698,000.00) to identify,

investigate and acquire suitable lands for the purpose of an exchange of lands with the federal government. Funds granted under this section may be expended:

(A) For environmental and cultural investigations, title review for both surface and subsurface ownership, access and easement agreements, appraisals, purchase options and land procurements;

(B) To perfect agreements or other instruments for the financial participation of project beneficiaries in the state of Colorado on a pro rata basis.

(vi) Appropriation: There is appropriated from water development account III to the commission four million six hundred ninety-eight thousand dollars ($4,698,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. This appropriation is a partial appropriation of the total seventy-three million dollars ($73,000,000.00) required for the project. Additional appropriations and funding sources shall be identified to provide full funding for the project before any bids are let for construction. Unexpended funds appropriated under this subsection shall revert to water development account III on July 1, 2021;

(vii) Special conditions: Funds from this appropriation shall not be expended until the project sponsor and the Wyoming water development commission have secured additional funding commitments from project beneficiaries in both Wyoming and Colorado on a pro rata basis. Funds from this appropriation shall not be expended until the expenditure is approved by the legislature.Source Notes for subsection (b): (Laws 2018, Ch. 121, § 1.)

ARTICLE 24 - 2019 CONSTRUCTION PROJECTS

99-3-2401. Definitions.

(a) As used in this article:

(i) "Commission" means the Wyoming water development commission;

(ii) "Sponsor" means the municipality, conservancy district, irrigation district, water district, improvement and service district, water and sewer district, watershed improvement district, joint powers board, business council of

the Eastern Shoshone Indian tribe or business council of the Northern Arapaho Indian tribe that will receive funding for one (1) or more of the projects identified in this article;

(iii) "Water development account I" means the account created by W.S. 41-2-124(a)(i);

(iv) "Water development account II" means the account created by W.S. 41-2-124(a)(ii);

(v) "Water development account III" means the account created by W.S. 41-2-124(a)(iii).

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

99-3-2402. General authorization.

(a) The commission shall contract with each sponsor identified in this article for the design, construction and operation of the project in a manner consistent with this article and administer the contract on behalf of the state of Wyoming.

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

(b) Upon execution of the contract outlined in subsection (a) of this section, the sponsor may design, construct and operate the project in a manner consistent with the terms and conditions outlined in the contract.

Source notes for subsection (b): (Laws 2019, Ch. 55, § 1.)

99-3-2403. General conditions for Level III construction projects – new development.

(a) Except as otherwise specifically provided, each Level III new development construction project identified in this article shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(iv) A sponsor shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(v) The commission shall make payments directly to the sponsor;

(vi) The sponsor shall be responsible for operation and maintenance of the project;

(vii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(viii) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state treasurer in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(ix) Principal and interest payments made in repayment of loans shall be deposited in water development account I;

(x) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project cost paid by the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project cost paid by the project grant;

(xi) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project cost paid by the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project cost paid by the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (x) and (xi) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state treasurer;

(xiii) Any revenues generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account I.

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

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

(a) Authorization is granted for the Level III new development construction projects identified in this section.

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

(b) Project – Buffalo Wells and Transmission 2019:

(i) Project sponsor: City of Buffalo;

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

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

(iv) Total project budget: One million eight hundred forty-eight thousand dollars ($1,848,000.00);

(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 construction of the project an amount not to exceed one million two hundred thirty-eight thousand one hundred sixty dollars ($1,238,160.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

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

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

Source notes for subsection (b): (Laws 2019, Ch. 55, § 1.)

(c) Project – Clearmont Well Connection 2019:

(i) Project sponsor: Town of Clearmont;

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

(iii) Project description: Design and construction of well improvements, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred ninety-one thousand dollars ($491,000.00);

(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 construction of the project an amount not to exceed three hundred twenty-eight thousand nine hundred seventy dollars ($328,970.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(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;

(vii) Special conditions:

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

(B) The sponsor is responsible for acquiring one hundred percent (100%) of the total well purchase price from other sources;

(C) The commission shall sell and the sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source notes for subsection (c): (Laws 2019, Ch. 55, § 1.)

(d) Project – Etna Storage Tank 2019:

(i) Project sponsor: Etna Water and Sewer District;

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

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

(iv) Total project budget: One million four hundred ninety-five thousand dollars ($1,495,000.00);

(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 construction of the project an amount not to exceed one million one thousand six hundred fifty dollars ($1,001,650.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million one thousand six hundred fifty dollars ($1,001,650.00) 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;

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

Source notes for subsection (d): (Laws 2019, Ch. 55, § 1.)

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

(i) Project sponsor: Green River-Rock Springs-Sweetwater County Joint Powers Water Board;

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

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

(iv) Total project budget: Eleven million one hundred ninety thousand dollars ($11,190,000.00);

(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 construction of the project an amount not to exceed seven million four hundred ninety-seven thousand three hundred dollars ($7,497,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven million four hundred ninety-seven thousand three hundred dollars ($7,497,300.00) 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;

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

Source notes for subsection (e): (Laws 2019, Ch. 55, § 1.)

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

(i) Project sponsor: City of Lander;

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

(iii) Project description: Design of storage tanks, transmission pipelines, pumping facilities and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred forty thousand dollars ($340,000.00);

(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 of the project an amount not to exceed two hundred twenty-seven thousand eight hundred dollars ($227,800.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred twenty-seven thousand eight hundred dollars ($227,800.00) 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;

(vii) Special conditions:

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

(B) The sponsor shall provide to the commission an adequate feasibility study of the proposed project prior to commencing the design phase.

Source notes for subsection (f): (Laws 2019, Ch. 55, § 1.)

(g) Project – Northwest Rural Water System Improvements 2019:

(i) Project sponsor: Northwest Rural Water District;

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

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

(iv) Total project budget: One million five hundred seventy-five thousand dollars ($1,575,000.00);

(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 construction of the project an amount not to exceed one million fifty-five thousand two hundred fifty dollars ($1,055,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million fifty-five thousand two hundred fifty dollars ($1,055,250.00) 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;

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

Source notes for subsection (g): (Laws 2019, Ch. 55, § 1.)

(h) Project – Rolling Hills Well No. 7 Connection 2019:

(i) Project sponsor: Town of Rolling Hills;

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

(iii) Project description: Design and construction of well improvements, transmission pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Four hundred eight thousand dollars ($408,000.00);

(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 construction of the project an amount not to exceed two hundred seventy-three thousand three hundred sixty dollars ($273,360.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred seventy-three thousand three hundred sixty dollars ($273,360.00) 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;

(vii) Special conditions:

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

(B) The sponsor is responsible for acquiring one hundred percent (100%) of the total well purchase price from other sources;

(C) The commission shall sell and the sponsor shall purchase the well drilled during the level II study for a price not to exceed thirty-three percent (33%) of the well's actual construction costs. The sponsor shall purchase the well with a lump sum payment.

Source notes for subsection (h): (Laws 2019, Ch. 55, § 1.)

(j) Project – Weather Modification Medicine Bow Mountains 2019-2020:

(i) Project sponsor: The state of Wyoming;

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

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2019-2020 fall, winter and spring seasons;

(iv) Total project budget: Six hundred thirty-four thousand dollars ($634,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office five hundred eighty-nine thousand dollars ($589,000.00) 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, 2021;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Five thousand dollars ($5,000.00) of the total appropriation is allocated for this purpose;

(B) Prior to commencing project operations, the Wyoming water development office shall acquire funding commitments from Wyoming water users or other interested parties for a minimum of seven percent (7%) of actual project operations costs;

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

Source notes for subsection (j): (Laws 2019, Ch. 55, § 1.)

(k) Project – Weather Modification Wind River Mountains 2019-2020:

(i) Project sponsor: The state of Wyoming;

(ii) Project purpose: To enhance the winter snowpack in the Wind River Mountain Range;

(iii) Project description: Conduct an operational winter snowpack augmentation program during the 2019-2020 fall, winter and spring seasons;

(iv) Total project budget: Four hundred sixty-five thousand dollars ($465,000.00);

(v) Appropriation: There is appropriated from water development account I to the Wyoming water development office one hundred seventy-five thousand dollars ($175,000.00) 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, 2021;

(vi) Special conditions:

(A) The Wyoming water development office shall manage and provide oversight of the program. Five thousand dollars ($5,000.00) of the total appropriation is allocated for this purpose;

(B) The state of Wyoming shall participate at a rate of thirty-seven percent (37%) of actual project operations costs not to exceed one hundred seventy thousand dollars ($170,000.00);

(C) 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 sixty-three percent (63%) of actual project operations costs;

(D) If the Wyoming water development office is unable to secure adequate funding commitments and 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.

Source notes for subsection (k): (Laws 2019, Ch. 55, § 1.)

99-3-2405. General conditions for Level III construction projects – rehabilitation.

(a) Except as otherwise specifically provided, each Level III rehabilitation construction project identified in this article shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(iv) Sponsors shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(v) The commission shall make payments directly to the sponsor;

(vi) The sponsor shall be responsible for operation and maintenance of the project;

(vii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(viii) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state treasurer in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(ix) Principal and interest payments made in repayment of loans shall be deposited in water development account II.

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

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

(a) Authorization is granted for the Level III rehabilitation construction projects identified in this section.

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

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

(i) Project sponsor: Austin-Wall Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Design and construction of the replacement of reservoir outlet works and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred seventy-four thousand dollars ($374,000.00);

(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 fifty thousand five hundred eighty dollars ($250,580.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred twenty-three thousand four hundred twenty dollars ($123,420.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) 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: 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 subsection shall revert to water development account II on July 1, 2024;

(viii) Special conditions: The appropriation of funds for this project is contingent upon the transfer of funds to

water development account II as described in section 3 of this act.

Source notes for subsection (b): (Laws 2019, Ch. 55, § 1.)

(c) Project – Big Horn Canal Wasteway Rehabilitation 2019:

(i) Project sponsor: Big Horn Canal Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Design and construction of replacement wasteway/check structure and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Nine hundred sixty thousand dollars ($960,000.00);

(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 six hundred forty-three thousand two hundred dollars ($643,200.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 three hundred sixteen thousand eight hundred dollars ($316,800.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) 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: There is appropriated from water development account II to the commission nine hundred sixty thousand dollars ($960,000.00) 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.

Source notes for subsection (c): (Laws 2019, Ch. 55, § 1.)

(d) Project – Bluff/Upper Bluff System Improvements 2019:

(i) Project sponsor: Bluff/Upper Bluff Irrigation District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Design and construction of replacement pumps, structure repairs and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three hundred sixty-six thousand dollars ($366,000.00);

(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 forty-five thousand two hundred twenty dollars ($245,220.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 forty-five thousand seven hundred eighty dollars ($45,780.00) or twelve and fifty-one hundredths percent (12.51%) of the actual development costs, whichever is less, for a term of twenty (20) 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: There is appropriated from water development account II to the commission two hundred ninety-one thousand dollars ($291,000.00) 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;

(viii) Special conditions: The sponsor is responsible for acquiring twenty and forty-nine hundredths percent (20.49%) of the total project budget from other sources.

Source notes for subsection (d): (Laws 2019, Ch. 55, § 1.)

(e) Project – Cody Canal Rehabilitation 2019:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Six hundred forty-six thousand six hundred forty-nine dollars ($646,649.00);

(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 three hundred forty-four thousand dollars ($344,000.00) 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 three hundred forty-four thousand dollars ($344,000.00) 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;

(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;

(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.

Source notes for subsection (e): (Laws 2019, Ch. 55, § 1.)

(f) Project – Deaver Irrigation District Rehabilitation 2019:

(i) Project sponsor: Deaver Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Eight hundred ninety-nine thousand nine hundred twenty-nine dollars ($899,929.00);

(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 four hundred twenty-four thousand dollars ($424,000.00) 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 four hundred twenty-four thousand dollars ($424,000.00) 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;

(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;

(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.

Source notes for subsection (f): (Laws 2019, Ch. 55, § 1.)

(g) Project – Dry Creek Irrigation District Rehabilitation 2019:

(i) Project sponsor: Dry Creek Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: One million six hundred twenty-eight thousand dollars ($1,628,000.00);

(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 ninety thousand seven hundred sixty dollars ($1,090,760.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 five hundred thirty-seven thousand two hundred forty dollars ($537,240.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) 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: There is appropriated from water development account II to the commission one million six hundred twenty-eight thousand dollars ($1,628,000.00) 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;

(viii) Special conditions: The appropriation of funds for this project is contingent upon the transfer of funds to water development account II as described in section 3 of this act.

Source notes for subsection (g): (Laws 2019, Ch. 55, § 1.)

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

(i) Project sponsor: Eden Valley Irrigation and Drainage District;

(ii) Project purpose: Agricultural water supply;

(iii) Project description: Design and construction of canal lining, sandtrap structure and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred fifty thousand dollars ($650,000.00);

(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 three hundred fifty-one thousand dollars ($351,000.00) or fifty-four percent (54%) of the actual development costs, whichever is less;

(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;

(vii) Special conditions:

(A) The sponsor is responsible for acquiring forty-six percent (46%) 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 3 of this act.

Source notes for subsection (h): (Laws 2019, Ch. 55, § 1.)

(j) Project – Interstate Diversion Structure Rehabilitation 2019:

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

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Four hundred twenty thousand dollars ($420,000.00);

(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 eighty-one thousand four hundred dollars ($281,400.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred thirty-eight thousand six hundred dollars ($138,600.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) 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: 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.

Source notes for subsection (j): (Laws 2019, Ch. 55, § 1.)

(k) Project – Lakeview Carter Creek Siphon/Spillway 2019:

(i) Project sponsor: Lakeview Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Three hundred fifty-one thousand dollars ($351,000.00);

(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 thirty-five thousand one hundred seventy dollars ($235,170.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan 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 hundred fifteen thousand eight hundred thirty dollars ($115,830.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) 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: 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.

Source notes for subsection (k): (Laws 2019, Ch. 55, § 1.)

(m) Project – Lovell Moncur Lateral Rehabilitation 2019:

(i) Project sponsor: Lovell Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Two million six hundred thirty-seven thousand four hundred two dollars ($2,637,402.00);

(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 million six hundred seventy thousand dollars ($1,670,000.00) 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 six hundred seventy thousand dollars ($1,670,000.00) 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;

(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;

(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.

Source notes for subsection (m): (Laws 2019, Ch. 55, § 1.)

(n) Project – Midvale Irrigation District Rehabilitation 2019:

(i) Project sponsor: Midvale Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Eight hundred twenty-six thousand dollars ($826,000.00);

(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 five hundred fifty-nine thousand dollars ($559,000.00) 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 five hundred fifty-nine thousand dollars ($559,000.00) 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;

(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;

(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.

Source notes for subsection (n): (Laws 2019, Ch. 55, § 1.)

(o) Project – Shoshone Irrigation District Rehabilitation 2019:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Four hundred seventy-two thousand dollars ($472,000.00);

(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 eighty-one thousand dollars ($181,000.00) 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 eighty-one thousand dollars ($181,000.00) 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;

(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;

(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.

Source notes for subsection (o): (Laws 2019, Ch. 55, § 1.)

(p) Project – Wheatland Irrigation District Tunnel Dam Rehabilitation 2019:

(i) Project sponsor: Wheatland Irrigation District;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: Three hundred eighty-eight thousand dollars ($388,000.00);

(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, and project land procurement of the project an amount not to exceed two hundred fifty-nine thousand nine hundred sixty dollars ($259,960.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, and project land procurement of the project an amount not to exceed one hundred twenty-eight thousand forty dollars ($128,040.00) or thirty-three percent (33%) of the 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: There is appropriated from water development account II to the commission three hundred eighty-

eight thousand dollars ($388,000.00) 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.

Source notes for subsection (p): (Laws 2019, Ch. 55, § 1.)

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

(i) Project sponsor: Business council of the Eastern Shoshone Indian Tribe and business council of the Northern Arapaho Indian Tribe;

(ii) Project purpose: Agricultural water supply;

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

(iv) Total project budget: One million eight hundred fifty-eight thousand dollars ($1,858,000.00);

(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 nine hundred twenty-nine thousand dollars ($929,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(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;

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

Source notes for subsection (q): (Laws 2019, Ch. 55, § 1.)

99-3-2407. General conditions for Level III construction projects – dams and reservoirs.

(a) Except as otherwise specifically provided, each Level III dam and reservoir construction project identified in this article shall be subject to the following general conditions:

(i) Each sponsor shall offer security for the project loan as deemed adequate and acceptable to the attorney general;

(ii) The commission shall establish repayment schedules for project loans in accordance with the conditions prescribed in this section;

(iii) Each sponsor shall supervise design and construction of the project and submit all requests for payment to the commission for approval;

(iv) A sponsor shall not make construction funding commitments until after the commission has reviewed and approved construction budgets and construction plans;

(v) The commission shall make payments directly to the sponsor;

(vi) The sponsor shall be responsible for operation and maintenance of the project;

(vii) The sponsor is responsible for all project expenditures in excess of the total project appropriation;

(viii) If the commission determines that any sponsor has, without good cause, abandoned completion of the project, that sponsor, in addition to being required to repay the loan, shall be obligated to immediately repay the full amount of all grant funds actually expended plus interest as established by the state treasurer in an amount equal to the interest that would have accrued on the expended grant funds in the water development account from the date of expenditure;

(ix) Principal and interest payments made in repayment of loans shall be deposited in water development account III;

(x) There shall be no lease, sale, assignment or transfer of ownership of water from the project for purposes other than the designated project purpose without prior written approval of the commission and the state engineer or board of control. If such a transaction is approved, the revenues generated by the lease, sale, assignment or transfer of

ownership of water from the project shall be utilized to retire principal on the project loan. After that loan is paid in full, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project paid by the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of water from the project equal to the percentage of the project paid by the project grant;

(xi) There shall be no lease, sale, assignment or transfer of ownership of any project until the project loan is paid in full, and until prior written approval is obtained from the commission. If these conditions are met, the sponsor shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project paid by the project loan and the state of Wyoming shall receive a proportionate share of the revenues generated by the lease, sale, assignment or transfer of ownership of the project equal to the percentage of the project paid by the project grant. Before the sponsor may lease, sell, assign or transfer ownership of the project, the state of Wyoming shall be given a one (1) year first right of refusal option to purchase the sponsor's interest in the project for an amount equal to the principal, interest, maintenance and replacement costs incurred by the sponsor at the date the option is exercised;

(xii) After the project loan is paid in full, the sponsor may purchase the position of the state of Wyoming, as described in paragraphs (x) and (xi) of this subsection, for the amount of the project grant plus the interest that would have accrued on the grant amount in the water development account from the date the project was substantially completed as defined by the commission. The interest that would have accrued on the grant amount shall be established by the state treasurer;

(xiii) Any funds generated by the state from the lease, sale, assignment or transfer of ownership of any project or project water shall be deposited in water development account III.

Source notes for subsection (a): (Laws 2019, Ch. 55, § 1.)

[AMENDMENTS TO PRIOR PROJECTS]

99-99-101. Reserved.

99-99-201. Authorization for water well supply and transmission project.

(a) The department of economic planning and development [economic development and stabilization board] is authorized to proceed with the design and construction of the city of Gillette well supply and water transmission project as described in the interdepartmental water conference feasibility report to the 1978 session of the Wyoming legislature. Prior to commencement of construction of the water supply and transmission project, the department of economic planning and development [economic development and stabilization board] shall:

(i) Enter into a signed project agreement with the city of Gillette, Wyoming, for the construction, operation and maintenance of the project by the city as specified in W.S. 41-2-201 through 41-2-203;

(ii) Assign the project to the city for design, construction, operation and repayment as specified by law, after execution of the project agreement with the city of Gillette and upon approval of the governor as specified in W.S. 41-2-115;

(iii) Approve the final design, plans and specifications and construction schedule for the project facilities and development of water service from the project facilities which shall include water supply provisions for the city of Gillette and surrounding area municipal and domestic requirements, the town of Moorcroft supplemental and emergency requirements and community of Rozet municipal and domestic requirements, the agricultural, domestic and stockwater requirements within or that can be served by the water well field area and the industrial requirements that can be served by the well field and water transmission lines.

(iv) Repealed by Laws 1987, ch. 99, § 5.

(v) Repealed by Laws 1987, ch. 99, § 5.

(Laws 1978, Ch. 28, § 1; 1987, Ch. 99, § 5; 1994, Ch. 28, § 5; Renumbered from 41-2-201 by Laws 2009, Ch. 168, § 401.)

99-99-202. Authorization for expenditures from permanent Wyoming mineral trust fund.

The state loan and investment board, with the advice of the director of the department of commerce is authorized to loan not to exceed fifteen million dollars ($15,000,000.00) from the permanent Wyoming mineral trust fund, to be advanced to the city of Gillette as deemed necessary by the department of commerce to design and construct a water well supply and water transmission project. The loan shall not be advanced by the state loan and investment board until the qualified electors of the city of Gillette approve creation of the debt and approve the pledging of the revenue from the operation of the water project as the primary source of repayment of the loan and the pledging of the city's share of state excise taxes and other unrestricted revenue of the city as a secondary source of repayment of the loan. The term and conditions of the loan will be as set forth in W.S. 11-34-302. Principal, but not interest, payments on the loan may be deferred until the department of commerce determines and certifies to the state loan and investment board that the water system can generate sufficient revenue to commence repaying the loan and still allow revenues to maintain and operate the system. Principal payments shall be credited to the permanent Wyoming mineral trust fund and the interest payments shall be deposited into the general fund.

(Laws 1978, Ch. 28, § 1; 1998, Ch. 13, § 1; Renumbered from 41-2-202 by Laws 2009, Ch. 168, § 401.)

99-99-203. Approval of project expenditures, rates.

After commencement of design and construction of the project and until completion, the department of commerce shall approve expenditures for project engineering and construction and the city of Gillette shall provide monthly progress reports confirming that the construction, design and specifications for the project are being followed and complied with. At least sixty (60) days prior to the commencement of each fiscal year, the city of Gillette shall submit its proposed budget for water user rates, operation and maintenance expenses and revenues to be applied to debt service the next fiscal year, to the department of commerce. If a reasonable level of revenues exceed the city's necessary operation, maintenance and other costs for the water system and the project, the department of commerce shall certify to the state treasurer and the state loan and investment board the amount of repayment by the city to the permanent Wyoming mineral trust fund. The department of commerce

shall certify to the state treasurer and state loan and investment board all such payments after reviewing proposed budgets of the city for water user rates, operation and maintenance expenses and revenue for each fiscal year.

(Laws 1978, Ch. 28, § 1; 1998, Ch. 13, § 1; Renumbered from 41-2-203 by Laws 2009, Ch. 168, § 401.)

99-99-204. Definitions.

(a) As used in this act:

(i) "Interdepartmental water conference" means the conference created by W.S. 41-1-106 or a successor conference or agency responsible for the development and coordination of Wyoming's water and related resources;

(ii) "Stage I" means the existing Cheyenne water supply project in south central Wyoming, which consists of water collection, storage and transmission facilities to bring water from the headwaters of the Little Snake River drainage into the North Platte River drainage and to bring water from the headwaters of the Douglas Creek drainage into the Crow Creek drainage and from the North Platte River and Crow Creek drainages into the Cheyenne water system;

(iii) "Stage II" means the expansion of the existing Stage I facilities. Stage II proposes to construct new water development facilities including but not limited to interception lines and diversion, collection and storage structures to collect additional water in the Little Snake River drainage on the west side of the Continental Divide, increase the capacity of the pipeline to Hog Park Creek, enlarge Hog Park Reservoir, enlarge Rob Roy Reservoir on Douglas Creek, construct new interception lines and diversion structures to collect additional water from Douglas Creek and its tributaries, construct additional pipelines from Douglas Creek to Lake Owen and from Lake Owen to the Crow Creek drainage, and increase storage or diversions of water to the existing Cheyenne system. Water right applications, maps and permits for the facilities are on file in the office of the state engineer;

(iv) "Stage III" means a transbasin diversion of water from the headwater of the Little Snake River and its tributaries on the western side of the Continental Divide north and west of Stage I and Stage II. Stage III proposes to construct interception lines and diversions and collection

structures to increase availability of water for transportation of water across the Continental Divide from the Little Snake River drainage into the North Platte River system, and increase storage and availability of water for use by cities, towns and other water users located in Carbon, Albany, Natrona, Converse, Niobrara, Goshen, Platte and Laramie counties. Water right applications, maps and permits for the facilities are on file in the office of the state engineer;

(v) "In-basin needs" means the assessment and study, which will consider existing rights, future needs and in-stream flow requirements for fish, wildlife and recreational purposes within the Little Snake River drainage and provide for protection of these rights and needs;

(vi) "In-basin project" means the storage structure or structures to increase storage for in-basin needs.

(Laws 1979, Ch. 126, § 1; 1986, Ch. 113, § 1; Renumbered from 41-2-204 by Laws 2009, Ch. 168, § 401.)

99-99-205. Authorization of Stage II.

(a) Subject to completion of the report of the feasibility study and holding of public hearings by the interdepartmental water conference as required by W.S. 41-2-114 and 41-2-115, Stage II is authorized.

(b) Stage II shall be given priority in the year 1979 by the state agencies and officials responsible to act hereunder. Appropriate draft legislation, which shall include funding, shall be submitted to the 1980 session of the legislature in accordance with W.S. 41-2-115. The feasibility report shall include in addition to contents otherwise required:

(i) A statement of the relative costs of water to users for various possible state and municipal cost shares;

(ii) A statement of the needs for water up to the year 2000 for the city of Cheyenne and surrounding communities at a minimum of three (3) different levels of population growth;

(iii) A statement of the needs for water up to the year 2000 at a minimum of three (3) different levels of population growth for the counties of Laramie, Albany, Carbon, Natrona, Converse, Niobrara, Goshen and Platte and other users

of municipal water from the North Platte River tributaries that may have insufficient water for probable growth;

(iv) A statement of the amount of water from Stage II that could be used to meet the needs identified in paragraph (iii) of this subsection. Nothing contained herein or any actions taken hereunder shall affect, infringe upon, or diminish in any manner any water rights and permits or the future needs of the city of Cheyenne.

(Laws 1979, Ch. 126, § 1; Renumbered from 41-2-205 by Laws 2009, Ch. 168, § 401.)

99-99-206. Feasibility study and hearings.

The interdepartmental water conference shall, in cooperation with the office of the state engineer, other appropriate state agencies and officials and members of the public make a feasibility study of the total effects of Stage I, Stage II and Stage III and of the in-basin needs and rights which will be considered in the final plan and hold hearings thereon in compliance with W.S. 41-2-114.

(Laws 1979, Ch. 126, § 1; Renumbered from 41-2-206 by Laws 2009, Ch. 168, § 401.)

99-99-207. Repealed by Laws 1986, ch. 113, § 14 as 41-2-207; Renumbered by Laws 2009, Ch. 169, § 401.

99-99-208. Agricultural water rights.

There shall be no condemnation of agricultural water rights as a result of the planning, development and operation of stage I, stage II and stage III of the Little Snake River water management project.

(Laws 1979, Ch. 126, § 1; Renumbered from 41-2-208 by Laws 2009, Ch. 168, § 401.)

99-99-209. Authorization for the construction of Stage II of the Little Snake Diversion Facilities.

(a) The department of economic planning and development [economic development and stabilization board] is authorized to proceed with the construction of Stage II of the Cheyenne Little Snake Diversion Facilities in south-central Wyoming. Stage II is specifically defined in W.S. 41-2-204(a)(ii) and (iii)

[41-2-204(a)(iii)]. Prior to the commencement and construction of the project, the department of economic planning and development [economic development and stabilization board] shall:

(i) Enter into a signed project agreement, in a form acceptable to the Wyoming attorney general, with the city of Cheyenne, Wyoming, for the construction, operation and maintenance of the project by the city as specified in W.S. 41-2-209 through 41-2-211;

(ii) Approve the final design, plans, specifications and construction schedules for the project facilities and development of the water supplies, construction of new interception lines, collection, storage and transmission facilities;

(iii) Approve changes, analysis and plans of the city of Cheyenne for establishing, operating and maintaining the project; and

(iv) Prepare and obtain conveyances and approval by the state engineer of all water rights and permits from the city of Cheyenne to the state in connection with Stage III of the Little Snake River water management project. Stage III is specifically defined in W.S. 41-2-204(a)(iv) and (v) [41-2-204(a)(iv)] which conveyances shall be held in escrow until all of the Stage II project has been funded, at which time the documents shall be released to the state.

(Laws 1980, Ch. 72, § 1; Renumbered from 41-2-209 by Laws 2009, Ch. 168, § 401.)

99-99-210. Projects authorized; financing; excess water.

(a) The following construction is authorized within the Stage II project:

(i) Enlargement of Rob Roy Reservoir, estimated to cost eighteen million dollars ($18,000,000.00);

(ii) Little Snake River collection system, estimated to cost twenty-five million dollars ($25,000,000.00);

(iii) Enlargement of Hog Park Reservoir, estimated to cost thirteen million dollars ($13,000,000.00);

(iv) Hog Park to Encampment River pipeline, estimated to cost two million dollars ($2,000,000.00).

(b) The projects enumerated in subsection (a) of this section shall be financed as follows:

(i) The city of Cheyenne shall finance the total cost of the project except for the portion funded by the state under paragraph (ii) of this subsection;

(ii) The state shall finance twenty million dollars ($20,000,000.00) of the total cost of the projects under paragraphs (a)(i), (ii), (iii) and (iv) of this section as provided by subsection (d) of this section.

(c) The state loan and investment board with the advice of the director of the department of commerce is authorized to loan not more than thirty-five million three hundred sixty thousand nine hundred sixty-five dollars ($35,360,965.00) from the permanent mineral trust fund to the city of Cheyenne or as much thereof as deemed necessary by the department of commerce to design and construct the portion of Stage II of the Little Snake River water management project provided by subsection (a) of this section. The revenue shall not be advanced until:

(i) The qualified electors of the city of Cheyenne approve creation of debt totaling the amount authorized by this subsection and approve the pledging of the revenue from the operation of the water project as the primary source of repayment of the debt as evidenced by the issuance of general obligation bonds to the state of Wyoming;

(ii) The city of Cheyenne submits a financing plan designed to reimburse the state of Wyoming subject to the following specific conditions:

(A) The city will pay interest charges computed at a rate which will be no more than one-half percent (.5%) below the rate for which the city of Cheyenne could sell the general obligation bonds on the open market, and shall not be less than five percent (5%) per annum. This rate determination shall be made by the state loan and investment board;

(B) Principal payments may be deferred on request of the city with the approval of the state loan and investment board but not beyond the original final payment date set by the state loan and investment board;

(C) The city shall apply available revenue from secondary sources of revenue, designated within the financing plan, to the repayment of the loan.

(iii) Repealed by Laws 1986, ch. 114, § 3.

(iv) A rate study is conducted for the city by a professional municipal finance and rate firm;

(v) The city agrees to mortgage to the state all facilities constructed with funds provided by the state loan and investment board and assign all easements, rights-of-way, water rights and permits as approved by the state engineer appurtenant thereto, in such form and to such extent as is required by the Wyoming attorney general. The conveyances shall be held in escrow. The state engineer shall not change the priority date of the water rights and permits as a result of this conveyance or escrow. Upon payment in full of the loan to the state of Wyoming, the conveyances shall be returned to the city of Cheyenne.

(vi) Repealed by Laws 1986, ch. 114, § 3.

(d) The state treasurer shall pay not to exceed twenty million dollars ($20,000,000.00) from the Wyoming water development account provided by W.S. 39-14-111(j) to the city of Cheyenne as deemed necessary by the department of commerce as provided by paragraph (b)(ii) of this section. The payments are grants and not loans to the city of Cheyenne and shall not:

(i) Be disbursed until the election pursuant to W.S. 41-2-210(c) is held and the indebtedness approved by the electors;

(ii) Deplete the balance remaining within the Wyoming water development account to less than ten million dollars ($10,000,000.00) for projects listed within W.S. 41-2-210(a);

(iii) Be disbursed until the city of Cheyenne, in consultation with the state loan and investment board and the department of commerce, develops a proposed financing plan for funding the completion of the Stage II water project as defined in W.S. 41-2-204(a)(ii) and (iii). Copies of the plan shall be mailed to the governor and members of the legislature. This provision shall not be construed as requiring any approvals of such a financing plan.

(e) All water in excess of the needs of the city of Cheyenne within the service area of the city produced by Stage II of the project shall be assigned to and marketed by the Wyoming water development commission for as long as the excess water is available or until July 1, 2036, whichever is earlier. The first option to purchase not more than eighty percent (80%) of the surplus water shall be extended to cities, towns and special districts within the North Platte basin for the benefit of their inhabitants at a negotiated cost. Sales contracts entered into by the commission shall be administered by the commission. To optimize the amount of excess Stage II water available for marketing without jeopardizing water supplies necessary to meet the city of Cheyenne's municipal needs, the city shall develop a Stage II management plan acceptable to the water development commission and the state engineer. The board shall transfer thirty-seven and three-tenths percent (37.3%) of the proceeds from the sale of excess Stage II water to the city of Cheyenne which it shall apply to the repayment of the loan provided by subsection (c) of this section until the loan is repaid.

(f) Repealed by Laws 1986, ch. 114, § 3.

(g) All effluent from the city of Cheyenne's sewage treatment plant resulting from Stage II municipal water Cheyenne develops the ability and the need to recycle or use that water for municipal purposes. Sale contracts entered into by the commission shall be administered by the commission. The board shall provide thirty-seven and three-tenths percent (37.3%) of the proceeds of the sale of Stage II effluent to the city of Cheyenne for its use. The water development commission may withdraw up to sixty-two and seven-tenths percent (62.7%) of the Stage II effluent from sale and the city of Cheyenne may withdraw up to thirty-seven and three-tenths percent (37.3%) of the Stage II effluent from sale. If either the city or the commission withdraws any portion of its share of Stage II effluent from the market its share of revenues generated by sale of the remainder shall be reduced proportionately. The sale or withdrawal from sale of Stage II effluent shall not be accomplished without consultation among the commission, the city and the state engineer. Because the effluent affected hereby is a by-product of the Stage II dams and pipeline projects, there are no restrictions on the city of Cheyenne's use of its share of the revenues generated by the sale of Stage II effluent.

(h) Any revenues to the state from the lease, sale, assignment or transfer of excess Stage II water or Stage II effluent as provided in subsections (e) and (g) of this section shall be deposited in the Wyoming water development account funded by revenues under water development account I.

(j) In addition to the grant provided by W.S. 41-2-210(b)(ii) and (d), the state of Wyoming shall grant to the city of Cheyenne from the Wyoming water development account funded by revenues under water development account I not to exceed three million dollars ($3,000,000.00) to be used to pay fifty percent (50%) of excess project expenses for projects designated in subsection (a) of this section, provided:

(i) Payments shall be made only for project expenses in excess of the combined fifty-five million three hundred sixty thousand nine hundred sixty-five dollar ($55,360,965.00) grant and loan authorized by W.S. 41-2-210(b)(ii), (c) and (d);

(ii) The city shall submit all invoices for payment to the Wyoming water development commission for approval. The commission shall, upon review and approval of the invoices, make payments directly to the city for fifty percent (50%) of the total invoice amount;

(iii) Payments under this subsection are grants and not loans to the city of Cheyenne; and

(iv) Nothing in this subsection shall be deemed to alter or amend any provision of W.S. 41-2-210(e), (g) or (h).

(Laws 1980, Ch. 72, § 1; 1982, Ch. 60, § 1; 1985, Ch. 228, § 2; 1986, Ch. 114, §§ 2, 3; 1989, Ch. 268, § 5, 1991, Ch. 68, § 1; 1998, Ch. 5, § 2; Ch. 6, § 3; Ch. 13, § 1; 2000, Ch. 97, § 3; Renumbered from 41-2-210 by Laws 2009, Ch. 168, § 401.)

99-99-211. Approval of project expenditures; state engineer duties.

(a) After commencement of design and construction of the project and until completion, the department of economic planning and development [economic development and stabilization board] shall approve expenditures for project engineering and construction. The city of Cheyenne shall provide to the director of the department of economic planning and development [chairman of the economic development and stabilization board] monthly progress reports confirming that the construction, design and

specifications for the project are being followed and complied with.

(b) The state engineer shall conduct a study based on records available from prior years and actual measurements to determine the level of water at the Dixon measuring station required to satisfy water rights senior to the rights of the city of Cheyenne. He shall use the results of this study to aid in the regulation of the Little Snake River drainage provided that the result does not give junior rights priority over senior rights.

(Laws 1980, Ch. 72, § 1; Renumbered from 41-2-211 by Laws 2009, Ch. 168, § 401.)

99-99-212. Repealed by Laws 1982, ch. 60, § 16 as 41-2-212; Renumbered by Laws 2009, Ch. 168, § 401.

99-99-213. Repealed by Laws 1982, ch. 60, § 16 as 41-2-213; Renumbered by Laws 2009, Ch. 168, § 401.

99-99-214. Repealed by Laws 1982, ch. 60, § 16 as 41-2-201; Renumbered by Laws 2009, Ch. 168, § 401.

99-99-215. Repealed by Laws 1982, ch. 60, § 16 as 41-2-215; Renumbered by Laws 2009, Ch. 168, § 401.

99-99-216. Definitions.

(a) As used in this act:

(i) "Commission" means the Wyoming water development commission;

(ii) "Department" means the department of economic planning and development [economic development and stabilization board];

(iii) "District" means the Horse Creek conservation district;

(iv) "Project" means the Hawk Springs project under W.S. 41-2-217;

(v) "This act" means W.S. 41-2-216 through 41-2-218.

(Laws 1983, Ch. 70, § 1; Renumbered from 41-2-216 by Laws 2009, Ch. 168, § 401.)

99-99-217. Project components.

(a) The Hawk Springs project consists of the following components:

(i) Necessary repairs to Dam No. 1 on Hawk Springs Reservoir, Goshen County;

(ii) Renovation of the existing delivery system of the district;

(iii) A public recreation area;

(iv) A geological and hydrological review of the project by the department;

(v) Replacement of the existing Horse Creek siphon;

(vi) Lining of the existing canal and, where economically feasible, replacing the canal with buried pipe;

(vii) Installation of necessary public facilities.

(Laws 1983, Ch. 70, § 1; Renumbered from 41-2-217 by Laws 2009, Ch. 168, § 401.)

99-99-218. Project financing; terms; conditions; restrictions on sale of water; loan acceleration.

(a) Subject to the conditions in subsection (b) of this section, the construction of the project shall be financed as follows:

(i) A grant to the district through the department not to exceed four million five hundred fifteen thousand dollars ($4,515,000.00), of which two million three hundred thirty thousand dollars ($2,330,000.00) shall be expended only for dam repair and outlet works and two million one hundred eighty-five thousand dollars ($2,185,000.00) for canal repairs. The department shall release grant funds as it deems necessary;

(ii) A loan to the district through the department as authorized in W.S. 9-2-206 [repealed] in an amount not to exceed one million nine hundred seventy-five thousand dollars

($1,975,000.00) to construct the project for a term of fifty (50) years to commence as provided in subparagraph (D) of this paragraph at an annual interest rate of four percent (4%) provided:

(A) No principal or interest is due and payable during the first five (5) years of the term of the loan;

(B) Interest shall not accrue on the principal during the first five (5) years of the term of the loan;

(C) The department shall establish a repayment schedule amortized over the remaining forty-five (45) years of the loan term in accordance with the conditions in this act; and

(D) The loan funds shall be released to the district upon execution of the loan agreement, but the term of the loan for purposes of repayment shall not commence until the project is substantially completed as determined by the department.

(iii) Authorization to the game and fish commission to expend not more than one hundred seventy thousand dollars ($170,000.00) for necessary public facilities for the public recreation area in consultation with the department and the recreation commission [parks and cultural resources commission];

(iv) Authorization to the department to expend not more than sixty thousand dollars ($60,000.00) for a geological and hydrological review of the project under W.S. 41-2-217(a)(iv).

(b) The department shall not release any funds to the district authorized under paragraphs (a)(i) and (ii) of this section until:

(i) An independent geological and hydrological review under W.S. 41-2-217(a)(iv) has been completed;

(ii) The department and the district have entered into a project agreement providing the district shall undertake construction of all project components concurrently containing the following provisions and terms:

(A) The department shall review and approve all design and construction plans prior to construction;

(B) The district shall supervise design and construction and submit all requests for payment to the department;

(C) The department shall directly make necessary payments in response to requests for payment;

(D) The district shall provide security to the department as deemed sufficient by the attorney general to include a mortgage on the dam and canals and an assignment of water rights;

(E) The district shall grant to the department for the state, ownership of the storage in Hawk Springs Reservoir from elevation 4,446.9 feet to elevation 4,461.9 feet according to the 1982 United States soil conservation service survey, approximately one thousand seven hundred seventy-nine (1,779) acre-feet of water;

(F) The district shall operate the reservoir to provide a pool depth of twenty (20) feet by January 1 in those years when sufficient water is available;

(G) The district shall grant public access in perpetuity to the Hawk Springs Reservoir proper and to all adjacent lands owned by the district or the state for the purposes of hunting, fishing and general recreation including the construction of such facilities as deemed necessary by the game and fish commission to maximize the public enjoyment;

(H) The district shall pay all the costs including manpower for all operation, maintenance and repairs to the dam and water delivery system after the project is completed;

(J) The department shall determine an amount to be assessed annually by the district against district members and the district shall place the funds so collected into a separate account as a sinking fund adequate to meet future maintenance costs for the project;

(K) The department may contract with the district for maintenance of public facilities constructed under this project.

(c) There shall be no sale or transfer of ownership of water by the district to other than agricultural users without

prior approval of the state board of control. In the event that such a sale or transfer is approved, the balance of the loan associated with the sale is immediately due and payable.

(Laws 1983, Ch. 70, § 1; 1993, Ch. 89, § 8; Renumbered from 41-2-218 by Laws 2009, Ch. 168, § 401.)

99-99-219. Definitions.

(a) As used in this act:

(i) "Commission" means the Wyoming water development commission;

(ii) "Department" means the department of economic planning and development [economic development and stabilization board];

(iii) "District" means a court approved assessment district consisting of the shareholders in the Shell Canal Company;

(iv) "Project" means the rehabilitation of Shell Canal as described in the report submitted by the water development commission entitled "Shell Canal Rehabilitation Project";

(v) "This act" means W.S. 41-2-219 through 41-2-222.

(Laws 1983, Ch. 163, § 1; Renumbered from 41-2-218 by Laws 2009, Ch. 168, § 401.)

99-99-220. Authorization of project.

In order to provide for agricultural use in the Shell Creek drainage of Big Horn county, Wyoming, the district is authorized to proceed with the final design and rehabilitation of Shell Canal.

(Laws 1983, Ch. 163, § 1; Renumbered from 41-2-220 by Laws 2009, Ch. 168, § 401.)

99-99-221. Formation of district; duties.

The Shell Canal company shall form a court approved assessment district. The district shall obtain all permits and clearances necessary to proceed with the project. The department shall do

any and all things necessary to assure the compliance by the district with conditions provided for in this act.

(Laws 1983, Ch. 163, § 1; Renumbered from 41-2-221 by Laws 2009, Ch. 168, § 401.)

99-99-222. Project financing.

(a) The state of Wyoming shall loan to the district from the water development account through the department as authorized in W.S. 9-2-206 [repealed] a sum not to exceed ninety-five thousand dollars ($95,000.00) for a term of fifty (50) years at an annual interest rate of six percent (6%) provided [that]:

(i) The district offers security as deemed adequate and acceptable to the attorney general;

(ii) No principal or interest is due and payable during the first five (5) years of the term of the loan;

(iii) Interest shall not accrue on the principal during the first five (5) years of the term of the loan;

(iv) The district shall establish a sinking fund for repair and maintenance from an annual assessment of one dollar ($1.00) per acre for each acre to which a water right is attached;

(v) The department establishes a repayment schedule in accordance with the conditions prescribed in this act.

(b) The state of Wyoming shall grant the district not to exceed ninety-five thousand dollars ($95,000.00) for construction of the project. The department shall release grant funds as it deems necessary.

(Laws 1983, Ch. 163, § 1; Renumbered from 41-2-222 by Laws 2009, Ch. 168, § 401.)

99-99-301. Use of surface waters and tributaries for transportation of coal to other states.

(a) On the advice of the state engineer the legislature of the state of Wyoming hereby grants to Texas Eastern Wyoming, Inc., a Delaware corporation (to the extent that it is or may be the holder of a permit, certificate or application to

appropriate, store or divert water), all approval required by W.S. 41-3-105 and 41-3-115 to use outside of the state of Wyoming not more than twenty thousand (20,000) acre-feet annually of the surface waters of the Little Bighorn River and its tributaries (including intrastate and interstate tributaries) as a medium of pipeline transportation of coal to another state or states and for uses related to or connected with a pipeline system of transportation of coal. No more than ten thousand (10,000) acre-feet of such water shall be used annually to transport coal other than coal mined within the boundaries of Wyoming.

(b) The approval granted by this act to use not more than twenty thousand (20,000) acre-feet annually of such surface waters outside the state of Wyoming shall automatically terminate if there is a permanent termination of the use of such surface waters as a medium of pipeline transportation of coal.

(c) The use of such surface waters outside the state of Wyoming pursuant to this approval shall not require a grant of reciprocal rights from any adjoining states as set forth in W.S. 41-3-115(c).

(d) If any portion of the twenty thousand (20,000) acre-feet of surface water is conveyed outside the state of Wyoming and then returned to the state of Wyoming, any such water may be again conveyed outside the state but shall not be counted again in determining the total twenty thousand (20,000) acre-feet annual quantity of water.

(e) Appropriation of the surface waters to be used pursuant to this section shall be in accordance with Title 41, Chapters 3 and 4, Wyoming Statutes 1977. Nothing in this section shall be construed as a directive to the state engineer to grant any approval or issue or amend permits, or in any way infringe on his discretion under the state law.

(f) The approvals, rights and benefits granted by this section may be pledged, mortgaged or otherwise hypothecated in connection with any financing and shall also inure to the benefit of any successors or assigns of Texas Eastern Wyoming, Inc. Provided that each such successor or assign is a corporation, partnership, joint venture or other entity with respect to which Texas Eastern Wyoming, Inc., or a parent, subsidiary or other affiliate thereof, is a member or the holder of equity interest.

(g) Notwithstanding the effective date of this section, the approval granted by this section shall terminate and expire unless, within ninety (90) days after the effective date of this section, an initial contract is entered into by and between but not limited to the state and Texas Eastern Wyoming, Inc., which is signed by the governor upon the advice of the attorney general that the contract contains in appropriate form and detail the provisions set forth in subsection (h) of this section.

(h) The contract referred to in subsection (g) of this section shall contain provisions as follows:

(i) There shall be a joint study, conducted pursuant to W.S. 41-2-114(c), to be funded entirely by Texas Eastern Wyoming, Inc., (hereinafter referred to as "Texas Eastern") to evaluate the feasibility of a water project to develop the surface waters of the Little Bighorn River including its interstate and intrastate tributaries. The present description of the water project, based upon engineering estimates of the water which will be available from the Little Bighorn River, consists of a maximum diversion of three hundred (300) cubic feet per second from the Little Bighorn River through a water pipeline to a reservoir or two (2) reservoirs to store forty-two thousand five hundred eighty (42,580) acre-feet of water annually;

(ii) If, after completion of the joint feasibility study, Texas Eastern desires to proceed with development, the state will have three (3) options. The state will have the exclusive right to determine which option it desires to select;

(iii) First option:

(A) If the state determines to select the first option, Texas Eastern will finance, construct and own the water project and the related water rights, and Texas Eastern will operate and maintain the water project and pay all costs in connection therewith;

(B) The water in excess of a firm yield of twenty thousand (20,000) acre-feet per annum (or any lesser quantity which is required for the slurry pipeline transportation system) will be made available for sale at the reservoir to the state at a cost equal to a pro rata share of all operating and maintenance costs of the water project;

(C) The state will be entitled to sell the water it purchases from Texas Eastern at such prices as the state may determine but the state will agree that it will not sell water for industrial use at a price less than the cost per acre-foot of water to Texas Eastern. The state will also agree that it will not sell water for industrial use unless the purchaser contracts with Texas Eastern to pay an annual amount equal to the actual sums Texas Eastern is required to pay to the present owners of the water rights, but the state will have no liability for such payments to Texas Eastern or to the present owners of the water rights;

(D) The state will be entitled to all revenues from water sales;

(E) If the state sells water from the water project for industrial use, the state will sell the water only after complying with the review and public hearing processes provided by W.S. 41-2-115, and any water sale for industrial use will be contingent upon the industrial user's obtaining any permit required by law;

(F) The reservoirs will be available for public recreational uses;

(G) Texas Eastern will provide the state, political subdivisions or special districts an opportunity to obtain capacity in any water pipeline Texas Eastern constructs to transport water from the water project at a capital cost and operating cost equal only to the incremental cost of constructing and operating a larger water pipeline to provide additional capacity for use of the state, political subdivisions or special districts;

(H) After the use of water from the water project for the slurry pipeline transportation system is permanently terminated, good and marketable title to the water project and the related water rights will be conveyed to the state without cost to the state.

(iv) Second option:

(A) If the state determines to select the second option, the state will issue its tax exempt revenue bonds to finance the water project and the state will construct, own and operate the water project and will own the related water rights.

Good and marketable title to the related water rights will be conveyed to the state without cost to the state;

(B) The state will sell and Texas Eastern will purchase a firm yield of twenty thousand (20,000) acre-feet per annum from the state (or any lesser quantity which is required for the pipeline transportation system);

(C) Texas Eastern will pay the present owners of the water rights an annual amount for use of the water for the slurry pipeline transportation system pursuant to the water rights. In addition, Texas Eastern will pay the following amounts to the parties indicated for the water purchased, regardless of the amount of water actually used by Texas Eastern:

(I) An annual amount equal to all principal and interest payable on the revenue bonds of the state;

(II) An annual amount to be determined by the state treasurer equal to the difference between the actual interest on the tax exempt revenue bonds of the state and the interest which would have been paid if corporate bonds had been issued to finance the water project as a part of the slurry pipeline transportation system payable to the Wyoming Water Development Account;

(III) An annual amount in lieu of taxes equal to all ad valorem taxes for all taxing jurisdictions payable to the taxing jurisdictions to the same extent as if Texas Eastern owned the water project;

(IV) An annual amount equal to all operating and maintenance costs of the water project.

(D) The state will be entitled to sell water in excess of the water committed to Texas Eastern at such prices as the state may determine but the state will agree that it will not sell water for industrial use at a price less than the cost per acre-foot of water to Texas Eastern. The state will also agree that it will not sell water for industrial use unless the purchaser contracts with Texas Eastern to pay an annual amount equal to the actual sums Texas Eastern is required to pay to the present owners of the water rights, but the state will have no liability for such payments to Texas Eastern or to the present owners of the water rights;

(E) To the extent that the state sells water from the water project other than to Texas Eastern, the state will pay a pro rata share of the operating and maintenance costs of the water project and will to such extent credit Texas Eastern's obligation to pay all operating and maintenance costs;

(F) The state will be entitled to all revenues from water sales under subparagraph (D) of this subsection;

(G) If the state sells water from the water project for industrial use, the state will sell the water only after complying with the review and public hearing processes provided by law and any water sale for industrial use will be contingent upon the industrial user's obtaining any permit required by law;

(H) Texas Eastern will provide the state, political subdivisions or special districts an opportunity to obtain capacity in any water pipeline Texas Eastern constructs to transport water from the water project at a capital cost and operating cost equal only to the incremental cost of constructing and operating the water pipeline to provide additional capacity for use of the state, political subdivisions or special districts.

(v) Third option:

(A) If the state determines to select the third option, Texas Eastern will finance, construct and operate the water project and will own the related water rights without participation by the state;

(B) Texas Eastern will amend the water permits so that the water is not authorized to be used for industrial use other than for a slurry pipeline transportation system;

(C) The reservoir will be available for public recreational uses;

(D) Texas Eastern will provide the state, political subdivisions or special districts an opportunity to obtain capacity in any water pipeline Texas Eastern constructs to transport water from the water project at a capital cost and operating cost equal only to the incremental cost of constructing and operating a larger water pipeline to provide additional capacity for use in the state, political subdivisions and special districts;

(E) After the use of water for the slurry pipeline system is permanently terminated, good and marketable title to the water project and the related water rights will be conveyed to the state without cost to the state, if agreed to by the state.

(vi) As a material consideration for and as a condition of the use of the water described in subsection (a) of this section, Texas Eastern Wyoming, Inc., shall agree, by contract, that if any coal slurry preparation plant utilizing water authorized under this section is constructed outside of the state of Wyoming, then Texas Eastern Wyoming, Inc. shall annually pay to each entity involved an amount equal to the ad valorem taxes which would be due to any taxing entity having authority to levy an ad valorem tax on the plant if the preparation plant facilities were located at the principal reservoir site in Sheridan County, Wyoming.

(j) In connection with the implementation of this section, on behalf of the state, the governor may enter into contracts on such terms and conditions as may be deemed desirable with any persons or entities with regard to development of a water project using the waters of the Little Bighorn River or connected with the project. Nothing in this section may be construed as requiring the governor to enter into any contract.

(Laws 1979, Ch. 97, § 1; 2005, Ch. 231, § 1; Renumbered from 41-2-301 by Laws 2009, Ch. 168, § 401.)

99-99-401. Well site.

(a) A sum of money not to exceed two hundred thousand dollars ($200,000.00) is appropriated from the water development account to the department of economic planning and development [economic development and stabilization board], with advice and assistance from the state engineer and the Wyoming water development commission, to develop a potential water well site in the Split Rock Formation, using the existing water filings by the department of economic planning and development [economic development and stabilization board]. The state engineer shall determine the site and dimensions of the potential well field based on best available geologic data.

(b) The department of economic planning and development shall report to the 1982 legislative session and make

recommendations concerning future water development on the Split Rock Formation.

(Laws 1981, Ch. 27, § 1; Renumbered from 41-2-401 by Laws 2009, Ch. 168, § 401.)

99-99-501. Definitions.

(a) As used in this act:

(i) "Commission" means the Wyoming water development commission;

(ii) "Department" means the department of economic planning and development [economic development and stabilization board];

(iii) "District" means a court approved assessment district consisting of the shareholders in the Park Reservoir Company;

(iv) "Project" means the reconstruction of Park Reservoir Dam as described in the report submitted by the water development commission entitled "Reconstruction of Park Reservoir Dam";

(v) "Public benefit" means those things including but not limited to fisheries, aesthetics, water quality, recreation and flood control which are enjoyed by the public in general and no specific identifiable group in particular;

(vi) "Water development account" means water development account I;

(vii) "This act" means W.S. 41-2-501 through 41-2-506.

(Laws 1981, Ch. 70, § 1; 1982, Ch. 41, § 2; 1998, Ch. 5, § 2; 2000, Ch. 97, § 3; Renumbered from 41-2-501 by Laws 2009, Ch. 168, § 401.)

99-99-502. Authorization of project.

In order to provide water for agricultural, municipal, recreational and environmental use in the Big Goose Creek and Little Goose Creek drainages of north central Wyoming, the district is authorized to proceed with the final design and

reconstruction of the Park Reservoir Dam and appurtenant works to store the amount of water authorized in the original permit.

(Laws 1981, Ch. 70, § 1; Renumbered from 41-2-502 by Laws 2009, Ch. 168, § 401.)

99-99-503. Formation of district; duties.

The Park Reservoir Company shall form a court-approved assessment district. The district shall complete all filings and obtain any permits necessary to proceed with the project. The department shall do any and all things necessary to assure the compliance by the district with conditions provided for in this act.

(Laws 1981, Ch. 70, § 1; Renumbered from 41-2-503 by Laws 2009, Ch. 168, § 401.)

99-99-504. Project financing.

(a) The state of Wyoming shall fund directly from its water development account an amount not to exceed one million three hundred twenty-five thousand dollars ($1,325,000.00) in return for:

(i) Five hundred eighty-eight (588) acre-feet of stored water in Park Reservoir to maintain a minimum pool for fisheries;

(ii) Five hundred thirty (530) acre-feet of stored water in Park Reservoir to be used to augment flushing flows in the East Fork of Big Goose Creek at the rate of ninety (90) cubic feet per second for seventy-two (72) hours;

(iii) Ninety (90) acre-feet of stored water in Park Reservoir to be used to sustain a minimum flow in the East Fork of Big Goose Creek when inflow into the reservoir drops below four and one-half (4.5) cubic feet per second.

(b) The state of Wyoming shall not be subject to normal operation and maintenance costs for fifty (50) years beginning with the completion of the project.

(c) The state of Wyoming shall loan to the district through the department as authorized in W.S. 9-3-312 a sum not to exceed one million two hundred thousand dollars

($1,200,000.00) from its water development account for a term of forty (40) years at five percent (5%) interest provided:

(i) The district offers security as deemed adequate and acceptable to the Wyoming attorney general; and

(ii) The department establishes a repayment schedule in accordance with the conditions herein prescribed.

(Laws 1981, Ch. 70, § 1; Renumbered from 41-2-504 by Laws 2009, Ch. 168, § 401.)

99-99-505. Management plan; restriction on sale of water; loan acceleration.

(a) The district and the division 2 superintendent of the state board of control, with approval of the state engineer, shall establish a reservoir management plan to achieve the objectives of this act.

(b) There shall be no sale or transfer of ownership of water from Park Reservoir to other than agricultural users without prior approval of the state board of control. In the event that such a sale or transfer is approved, the balance of the loan associated with the sale is immediately due and payable.

(Laws 1981, Ch. 70, § 1; Renumbered from 41-2-505 by Laws 2009, Ch. 168, § 401.)

99-99-506. Reconstruction and repair.

(a) One million two hundred thousand dollars ($1,200,000.00) is appropriated from the water development account for completion of reconstruction and repairs to correct damage caused by embankment movement and to stabilize the embankment against further displacement of the Park Reservoir Dam. The department shall release funds it deems necessary for reconstruction and repair to the district. Fifty-two and one-half percent (52 1/2%) of any funds released by the department shall be a direct appropriation in exchange for public benefits received under W.S. 41-2-504. Forty-seven and one-half percent (47 1/2%) of the funds released by the department shall be a loan.

(b) Funds released by the department as a loan under subsection (a) of this section shall be subject to the following conditions:

(i) The district shall offer security deemed adequate and acceptable by the attorney general; and

(ii) The department shall establish a repayment schedule subject to the following conditions:

(A) Upon completion of the project, the total amount of the loan shall be determined and the term of the loan shall commence;

(B) The term of the loan shall be forty (40) years at an annual interest rate of five percent (5%);

(C) No interest or principal shall be payable during the first ten (10) years of the term. The loan shall be amortized over the remaining thirty (30) years of the term;

(D) Any proceeds received by the district for reimbursement of any contractual obligations of any third person owed to the district shall be applied to repayment of the loan authorized by W.S. 41-2-506(a), after payment of costs and fees expended in connection therewith, as allowed by the district court having jurisdiction over the district; and

(E) If the sale or transfer of ownership of water is approved under W.S. 41-2-505, the balance of the loan under this section associated with the sale or transfer is immediately due and payable.

(c) The attorney general shall assist the district in pursuing any claim based on a cause of action arising out of the reconstruction or repair of the Park Reservoir Dam.

(Laws 1982, Ch. 17, § 1; Renumbered from 41-2-506 by Laws 2009, Ch. 168, § 401.)

99-99-601. Use of surface waters and tributaries for slurry pipeline and fertilizer plant.

The legislature of the state of Wyoming hereby grants to Chevron Chemical Company, a Delaware corporation, the consent required by W.S. 41-3-105 and 41-3-115(b) and (c) to export from and use outside the state of Wyoming up to three thousand (3,000)

acre-feet annually of the surface waters of the Green River and its tributaries for a phosphate rock concentrate slurry pipeline transportation system from Utah to Wyoming and for uses related to the operation of a fertilizer plant in Wyoming, subject to the acquisition of a water service contract with the state of Wyoming regarding Fontenelle Reservoir.

(Laws 1982, Ch. 17, § 1; Renumbered from 41-2-601 by Laws 2009, Ch. 168, § 401.)

99-99-701. Water supply and transmission project.

(a) The department of economic planning and development [economic development and stabilization board] is authorized to proceed with the design and construction of a domestic and municipal water supply and transmission system for the town of South Superior in Sweetwater county. The source of supply may be from surface or groundwater as the department [board] determines will best satisfy the present and future needs of the municipality in the most economical manner. Prior to commencement of construction of the water supply and transmission project, the department of economic planning and development [economic development and stabilization board] shall:

(i) Enter into a signed project agreement with the town of South Superior, Wyoming, for the construction, operation and maintenance of the project by the city;

(ii) Assign the project to the town for design, construction and operation, after execution of the project agreement with the town of South Superior and upon approval of the governor as specified in W.S. 41-2-115;

(iii) Approve the final design, plans and specifications and construction schedule for the project facilities and development of water service from the project facilities to the town of South Superior;

(iv) Approve the operation and maintenance plans for the project which shall be developed by the town of South Superior and the department of environmental quality; and

(v) Approve and authorize payments and disburse the funds appropriated for the project, in accordance with the plans and specifications approved by the department [board] and with

the terms and conditions of the agreement executed with the town of South Superior.

(b) The department of economic planning and development [economic development and stabilization board] shall expend not to exceed three million dollars ($3,000,000.00) to determine the most satisfactory and economical source of supply and transmission system for the water project authorized in subsection (a) of this section and to design and construct the water project for the town of South Superior.

(Laws 1983, Ch. 124 § 1; Renumbered from 41-2-701 by Laws 2009, Ch. 168, § 401.)

99-99-801. Reserved.

99-99-901. Repealed by Laws 1988, ch. 79, § 11 as 41-2-901; Renumbered by Laws 2009, Ch. 168, § 401.

99-99-1001. Creation; use of funds; interest.

(a) The following accounts are created:

(i) Fontenelle reservoir account;

(ii) Buffalo Bill dam account;

(iii) Palisades reservoir account;

(iv) Miscellaneous water investment account;

(v) Keyhole reservoir account;

(vi) High Savery reservoir account;

(vii) Pathfinder modification account;

(viii) Glendo reservoir account;

(ix) Lake DeSmet Reservoir account;

(x) Middle Piney reservoir account.

(Created by Laws, 2019, Ch. 55, § 2.)

(b) Any unexpended balance in an account created by subsection (a) of this section shall be invested by the state

treasurer and the interest earned shall be credited to the account.

(c) The Wyoming water development commission shall annually review the accounts created by subsection (a) of this section and report to the joint appropriations committee, and to the joint agriculture, state and public lands and water resources interim committee in the report required under W.S. 41-2-118(a), the amount of funds in any account which are in excess of that amount needed to meet obligations specified in subsections (d) through (j) of this section. After approval by the legislature, funds in excess of the amount needed to meet obligations specified in subsections (d) through (j) of this section shall be deposited in water development account I created by W.S. 41-2-124(a)(i).

(Amended Laws 2017, Ch. 64, § 1)

(d) All revenues received by the state from the lease, sale, assignment or transfer of ownership of power or water resulting from the state's interest in the Fontenelle reservoir shall be deposited in the account created by paragraph (a)(i) of this section. The Wyoming water development commission shall use any monies in the account to meet the loan, operation, maintenance and replacement obligations of the state relating to the Fontenelle reservoir project. Funds previously credited to the account created by W.S. 9-2-211(d) shall be transferred to the account created by paragraph (a)(i) of this section.

(e) All revenues received by the state from the lease, sale, assignment or transfer of ownership of power or water resulting from the state's interest in the Buffalo Bill dam shall be deposited in the account created by paragraph (a)(ii) of this section. The Wyoming water development commission shall use any monies in the account to meet the operation, maintenance and replacement obligations of the state relating to the Buffalo Bill dam project. Any balance in the account created by paragraph (a)(ii) of this section in excess of five hundred thousand dollars ($500,000.00) or the amount necessary to meet operation, maintenance and replacement obligations related to the Buffalo Bill dam project, whichever is greater, may be used to meet the state's annual obligation for any of the projects referenced in subsection (a) of this section.

(f) Revenues received by the state from the lease, sale, assignment or transfer of ownership of water resulting from the state's interest in Palisades reservoir shall be deposited with

the game and fish department until the department has been reimbursed for the sixty-five thousand dollars ($65,000.00) approved by the Wyoming game and fish commission for deposit into the account created by paragraph (a)(iii) of this section. Thereafter, all revenues received by the state from the lease, sale, assignment or transfer of ownership of water resulting from the state's interest in the Palisades reservoir shall be deposited in the account created by paragraph (a)(iii) of this section. The Wyoming water development commission shall administer the account and use any monies in the account to meet annual operation, maintenance and other contract obligations of the state relating to the Palisades reservoir project.

(g) Revenues received by the state from the lease, sale, assignment or transfer of water from projects funded by the Wyoming water development program or from the lease, sale, assignment or transfer of projects, or any portions thereof, funded by the Wyoming water development program shall be deposited into the account created by paragraph (a)(iv) of this section. The Wyoming water development commission shall administer the account and use any monies in the account to meet the contract obligations of the state relative to said leases, sales, assignments or transfers. The account balance shall at no time exceed one hundred thousand dollars ($100,000.00).

(h) The Wyoming water development commission shall administer the account created by paragraph (a)(v) of this section and use any monies in the account for replacement water purchases and to meet annual operation, maintenance and other contract obligations of the state relating to the Keyhole reservoir project.

(j) All revenues received by the state from the lease, sale, assignment or transfer of ownership of power or water resulting from the state's interest in the High Savery reservoir and dam shall be deposited in the account created by paragraph (a)(vi) of this section. The Wyoming water development commission shall use any monies in the account to meet the operation, maintenance and replacement obligations of the state relating to the High Savery dam and reservoir project.

(k) Notwithstanding W.S. 41-2-1301(f), all revenues received by the state from the lease, sale, assignment or transfer of ownership of water resulting from the state's interest in the Pathfinder modification project shall be deposited in the account created by paragraph (a)(vii) of this section. The Wyoming water development commission shall use any

monies in the account to meet the operation, maintenance, replacement and mitigation obligations of the state related to the Pathfinder modification project. Two million two hundred fifty thousand dollars ($2,250,000.00) from the appropriation from water development account II provided in the 2000 Wyoming Session Laws, Chapter 36, Section 6 is hereby transferred to the account created by paragraph (a)(vii) of this section.

(m) All revenues received by the state from the lease, sale, assignment or transfer of ownership of water resulting from the state's interest in the Glendo reservoir shall be deposited in the account created by paragraph (a)(viii) of this section. The Wyoming water development commission shall administer the account and use any monies in the account to meet the operation, maintenance, replacement and other contract obligations of the state related to the Glendo reservoir water service contract. Eight hundred thousand dollars ($800,000.00) from the appropriation from water development account I provided in the 2002 Wyoming Session Laws, Chapter 83, Section 29 is hereby transferred to the account created by paragraph (a)(viii) of this section.

(n) All revenues received by the state from the lease, sale, assignment or transfer of ownership of power or water resulting from the state's interest in the Lake DeSmet Reservoir, Healy Reservoir and Dam, and associated facilities as provided in W.S. 99-1-602 shall be deposited in the account created by paragraph (a)(ix) of this section. The Wyoming water development commission shall administer the account and use any monies in the account to meet the operation, maintenance and replacement obligations of the state related to the Lake DeSmet Reservoir, Healy Reservoir and Dam, and associated facilities. The Wyoming water development commission shall report on operations of Lake DeSmet Reservoir and Healy Reservoir and Dam and administration of the Lake DeSmet Reservoir account to the joint appropriations committee and the select water committee not later than December 31 of each year through December 31, 2020.

Source Notes for subsection (n): created by (Laws 2018, Ch. 115, § 2.)

(o) All revenues received by the state from the lease, sale, assignment or transfer of ownership of power or water resulting from the state's interest in the Middle Piney reservoir and dam, and associated facilities as provided in W.S. 99-3-2205(c), shall be deposited in the account created by

paragraph (a)(x) of this section. The Wyoming water development commission shall administer the account and use any monies in the account to meet the operation, maintenance and replacement obligations of the state related to the Middle Piney reservoir and dam, and associated facilities.

Source Notes for subsection (o): (Created by Laws 2019, Ch. 55, § 2.)

[TRANSFER OF FUNDS]

Section 3. Pursuant to W.S. 99-99-1001(c), the Wyoming water development commission has reviewed the Buffalo Bill dam account and determined there to be five million five hundred thousand dollars ($5,500,000.00) in funds in excess of that amount needed to meet obligations of the Buffalo Bill dam account as specified in W.S. 99-99-1001(e). The Wyoming water commission is hereby authorized to transfer five million five hundred thousand dollars ($5,500,000.00) from the Buffalo Bill dam account created by W.S. 99-99-1001(a)(ii) to water development account II created by W.S. 41-2-124(a)(ii).

99-99-1101. Projects.

(a) Repealed by Laws 2005, ch. 84, § 2.

(b) The joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes, the business council of the Eastern Shoshone Indian tribe or the business council of the Northern Arapaho Indian tribe may apply for assistance from the state and serve as a sponsor for water development programs and projects in the same manner as political subdivisions and special districts.

(Laws 1989, Ch. 145, § 1; W.S. 1977, } 41-2-1001; Laws 1998, Ch. 5, § 2; 2003, Ch. 78, § 1; 2005, Ch. 84, §§ 1, 2; Renumbered from 41-2-1101 by Laws 2009, Ch. 168, § 401.)

99-99-1201. Mitigation account.

(a) The Little Snake River mitigation account is created.

(b) Funds in the Little Snake River mitigation account shall be used by the Wyoming water development commission to complete the Little Snake River mitigation study to identify water supply and rehabilitation needs in the Little Snake River

basin in Wyoming and to evaluate alternative measures to meet those needs.

(c) The Wyoming water development commission shall administer the Little Snake River mitigation account created by subsection (a) of this section.

(Laws 1991, Ch. 231, § 8; 2005, Ch. 231, § 1; Renumbered from 41-2-1201 by Laws 2009, Ch. 168, § 401.)