

Water Com.

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86 ISO - 0310

SENATE FILE 0054,

SENATE FILE 0054

SF0054

AN ACT to authorize the Lake Adelaide Reservoir enlargement project; describing the project; providing for financing from the water development account through the economic development and stabilization board; providing restrictions on the sale of water, sale of the project and the operation of the project; providing for an appropriation; and providing for an effective date.

Select Water Committee

Introduced by:

Ray Albright

DATE	ACTION	DATE	ACTION
2/17/86	INTRODUCED <i>30 day</i>		Received
	READ FIRST TIME		Delivered to Enrolling Section
	REFERRED TO COM. NO. <u>5</u>		3-12-86 SEA No. 22 Signed by President
	DELIVERED TO LSO FOR PRINTING		3-12-86 Signed by Speaker
	RETURNED FROM LSO FOR PRINTED		3-12-86 Approved by Governor
	DELIVERED TO COM. NO. <u>5</u>		Chapter No. <u>21</u> , Session Laws of Wyoming
2/25/86	STANDING COMM. REPORT		
	DO PASS		
2/26/86	CONSIDERED ON COM. OF WHOLE		
	DO PASS		
2/27/86	READ SECOND TIME		
2/28/86	READ THIRD TIME		
	PASSED AYES <u>27</u> NOES <u>1</u> EXCUSED <u>0</u> ABSENT <u>0</u>		
	SENT TO HOUSE		
MAR - 3 1986	READ FIRST TIME		
	REFERRED TO COM. NO. <u>5</u>		
	DELIVERED TO COM. NO. <u>5</u>		
MAR - 6 1986	RETURNED		
	RECOMMENDED DO <u>100</u> PASS <u>100</u>		
MAR 10 1986	CONSIDERED IN COM. OF WHOLE		
	RECOMMENDED DO <u>100</u> PASS <u>100</u>		
MAR 11 1986	READ SECOND TIME		
MAR 12 1986	READ THIRD TIME		

PASSED
Ayes 27 Noes 1 Excused 0 Absent 0

Sent to Senate

CONTINUED ON BACK

5F 54 1UTRD Date 2/17/86

SENATE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY			✓	
CUNDALL			✓	
DIXON			✓	
DUSL			✓	
EDDINS			✓	
FANOS			✓	
FRISBY			✓	
GEIS				
HICKEY			✓	
HINCKLEY			✓	
KINNEY			✓	
KINNISON			✓	
LARSON			✓	
MADER			✓	
MOORE			✓	
NICHOLAS			✓	
NORRIS			✓	
PERRY			✓	
PREVEDEL			✓	
REESE			✓	
SCHMIDT			✓	
SCOTT			✓	
STROOCK			✓	
SULLIVAN			✓	
TROWBRIDGE			✓	
TRUE			✓	
TURNER			✓	
VINICH			✓	
WIEDERSPAHN			✓	
ZIMMER			✓	
MR. PRESIDENT			✓	

PRESENT	AYES	30
	NOES	0
	EXCUSED	0
	ABSENT	0
	TOTAL	30

SENATE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY			✓	
CUNDALL			✓	
DIXON			✓	
DUSL			✓	
EDDINS			✓	
FANOS			✓	
FRISBY			✓	
GEIS				
HICKEY			✓	
HINCKLEY			✓	
KINNEY			✓	
KINNISON			✓	
LARSON			✓	
MADER			✓	
MOORE			✓	
NICHOLAS			✓	
NORRIS			✓	
PERRY			✓	
PREVEDEL			✓	
REESE				✓
SCHMIDT			✓	
SCOTT			✓	
STROOCK			✓	
SULLIVAN			✓	
TROWBRIDGE			✓	
TRUE			✓	
TURNER			✓	
VINICH			✓	
WIEDERSPAHN			✓	
ZIMMER			✓	
MR. PRESIDENT			✓	

PRESENT	AYES	29
	NOES	1
	EXCUSED	0
	ABSENT	0
	TOTAL	30

#

54 House

Date

3/12/1966

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				MICHEL	✓			
BAKER	✓				MURPHY	✓	✓		
BARLOW	✓	✓			ODDE	✓			
BIRLEFFI	✓				PARKER	✓			
BLACKWELL	✓				PERKINS	✓			
BROWN	✓				RATLIFF	✓			
BUDD	✓				ROBERTSON	✓			
BURNS	✓				RYCKMAN	✓			
BURTON	✓				SALISBURY	✓			
BYRD	✓				SANDERS	✓			
CHAMBERLAIN	✓				SCHWOPE	✓			
CROSS	✓				SHREVE	✓			
CROWLEY	✓				SID				
DICKEY	✓				SIMONS	✓			
DOBOS	✓	✓			STAUFFER	✓			
GERINGER	✓				STRAND	✓			
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS	✓			
HAGEMAN	✓				TIBBS	✓			
HANSEN	✓	✓			TIPPETS	✓			
HARRISON	✓				TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HOWARD	✓				WALLIS	✓			
HUMPHREY	✓				WEAVER	✓			
JACKSON	✓				WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN	✓			
JONES	✓				ZUMBRUNNEN	✓			
KUNZ	✓				MR. SPEAKER	✓			
LAMB	✓				PRESENT				
LUMMIS	✓								
MACMILLAN	✓								
MALDONADO	✓								
MARTON	✓								
MCILVAIN	✓								
MEENAN	✓	✓							

AYES 59NOES 5

EXCUSED _____

ABSENT _____

TOTAL 64LESS 5

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, March 6, 19 86..

Mr. Speaker:

Your Committee No. 5 on AGRICULTURE

to whom was referred SF No. 0054

respectfully reports same back to the House with the recommendation that SF 0054

DO PASS

AyesNoesExcusedAbsent

Budd
Burns
Cross
Hageman
Hines
Humphrey
Lummis
Salisbury
Thomas
Simons

0

Geringer

0


 MARLENE J. SIMONS

Chairman

House of Intro				Second House					
_____	To Com. No.	_____		_____	To Com No.	_____			
_____	Stand Report Do	Amd	Not	_____	Stand Report Do	Amd	Not		
_____	Com Whole	Do	Amd	Not	_____	Com Whole	Do	Amd	Not
_____	2nd Reading Amd	_____		_____	2nd Reading Amd	_____			
_____	3rd Reading Amd	Pass	Fail	_____	3rd Reading Amd	Pass	Fail	_____	

INTRODUCED

1986

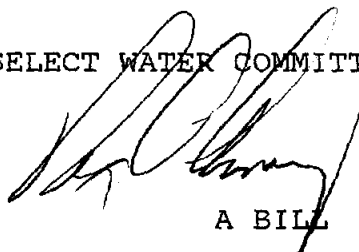
STATE OF WYOMING

86LSO-0310.01

SENATE FILE NO. 0054

Lake Adelaide reservoir project.

Sponsored by: SELECT WATER COMMITTEE



A BILL
for

1 AN ACT to authorize the Lake Adelaide Reservoir enlarge-
2 ment project; describing the project; providing for
3 financing from the water development account through the
4 economic development and stabilization board; providing
5 restrictions on the sale of water, sale of the project and
6 the operation of the project; providing for an appropria-
7 tion; and providing for an effective date.

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

9 Section 1. Definitions.

10 (a) As used in this act:

1 (i) "Board" means the Wyoming economic devel-
2 opment and stabilization board;

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

5 (iii) "District" means the Shell Valley Water-
6 shed Improvement District;

7 (iv) "Project" means the enlargement of Lake
8 Adelaide Reservoir as described in Section 2 of this act;

9 (v) "Water development account" means the
10 account created by W.S. 39-6-302(c) and 39-6-305(g).

11 Section 2. Project Components.

12 (a) The Lake Adelaide Enlargement Project consists
13 of the following components:

14 (i) The Lake Adelaide dam;

15 (ii) An emergency spillway;

16 (iii) Dam outlet works;

17 (iv) Dam access road;

18 (v) Embankment instrumentation;

- 1 (vi) Gaging stations;
- 2 (vii) Buckley Creek diversion;
- 3 (viii) Utility and road relocations as neces-
- 4 sary to construct and implement the project;
- 5 (ix) Appurtenances necessary to make the proj-
- 6 ect complete and function in the manner intended.

7 Section 3. Authorization.

8 (a) The commission is authorized to expend remaining

9 funds in the appropriation for the Shell Valley Watershed

10 project provided by Chapter 228, Section 9(c)(iii), 1985

11 Wyoming Session Laws, as amended, to perform the follow-

12 ing:

13 (i) Prepare environmental impact statements or

14 assessments, as required;

15 (ii) Perform final designs;

16 (iii) Prepare plans and specifications;

17 (iv) Obtain options, land exchanges or pur-

18 chase agreements for the necessary project lands and ease-

19 ments, if deemed appropriate by the commission;

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

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

7 (b) The board shall contract with the district for
8 the construction and operation of the project in a manner
9 consistent with Sections 4 and 5 of this act and to admin-
10 ister the contract on behalf of the state of Wyoming.

11 (c) Upon execution of the contract outlined in Sec-
12 tion 3(b), the commission may authorize the district to
13 acquire the necessary project lands and easements.

14 (d) Upon completion of tasks outlined in Section
15 3(a) and (b) of this act, the district may construct and
16 operate the project in a manner consistent with the terms
17 and conditions outlined in the contract provided for in
18 Sections 3(b) and 4 of this act.

19 Section 4. Project Financing.

20 (a) The state of Wyoming shall loan to the district
21 from the water development account through the board as

1 authorized by W.S. 9-2-1405 for the construction engineer-
2 ing, permit procurement, land acquisition and construction
3 of the project an amount not to exceed five hundred fifty
4 thousand dollars (\$550,000.00) or twenty-five percent
5 (25%) of the actual development costs, whichever is less,
6 for a term of fifty (50) years at an annual interest rate
7 of four percent (4%) provided:

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

10 (ii) The board establishes a repayment sched-
11 ule in accordance with the conditions prescribed in this
12 act;

13 (iii) The district establishes a sinking fund
14 for repair and maintenance of the project as deemed appro-
15 priate by the board;

16 (iv) Payment of interest and principal and
17 accrual of interest on the loan shall be deferred until
18 three (3) years after substantial completion of the proj-
19 ect as determined by the board. The loan shall be amor-
20 tized over the remaining forty-seven (47) years of the
21 term;

22 (v) Principal and interest payments made in

1 repayment of the loan shall be deposited in the Wyoming
2 water development account funded by revenues under W.S.
3 39-6-305(g).

4 (b) The state of Wyoming shall grant to the district
5 from the water development account through the board as
6 authorized by W.S. 9-2-1405 for the construction engineer-
7 ing, permit procurement, land acquisition and construction
8 of the project an amount not to exceed one million six
9 hundred fifty thousand dollars (\$1,650,000.00) or seventy-
10 five percent (75%) of the development costs, whichever is
11 less.

12 (c) The district shall supervise construction of the
13 project and submit all requests for payment to the board
14 for approval.

15 (d) The board shall, upon review and approval of the
16 district's request, make payments directly to the dis-
17 trict.

18 Section 5. Terms; management plan; restriction on
19 sale of water and the project; loan acceleration.

20 (a) There shall be no lease, sale, assignment or
21 transfer of ownership of water from the project for pur-
22 poses other than the district's agricultural use without

1 written prior approval of the board and the state engineer
2 or board of control. If such a transaction is approved,
3 the revenues generated by the lease, sale, assignment or
4 transfer of ownership of water from the project shall be
5 utilized to retire principal on the loan described in Sec-
6 tion 4(a) of this act. After that loan is paid in full
7 the district shall receive twenty-five percent (25%) of
8 the revenues generated by the lease, sale, assignment or
9 transfer of ownership of water from the project and the
10 state of Wyoming shall receive seventy-five percent (75%)
11 of the revenues generated by the lease, sale, assignment
12 or transfer of ownership of water from the project.

13 (b) There shall be no lease, sale, assignment or
14 transfer of ownership of the project until the loan
15 described in Section 4(a) is paid in full, and until prior
16 written approval is obtained from the board and the com-
17 mission. If these conditions are met, the district shall
18 receive twenty-five percent (25%) and the state of Wyoming
19 shall receive seventy-five percent (75%) of the revenues
20 generated by the lease, sale, assignment or transfer of
21 ownership of the project. Before the district may lease,
22 sell, assign or transfer ownership of the project, the
23 state of Wyoming shall be given a one (1) year first right
24 of refusal option to purchase the district's interest in

1 the project for an amount equal to the principal, inter-
2 est, maintenance and replacement costs incurred by the
3 district at the date the option is exercised.

4 (c) After the loan described in Section 4(a) of this
5 act is paid in full, the district may purchase the posi-
6 tion of the state of Wyoming, as described in subsections
7 (a) and (b) of this section, for the amount of the grant
8 described in Section 4(b) of this act plus the interest
9 that would have accrued on the grant amount in the water
10 development account from the date the project was substan-
11 tially completed as defined by the board. The interest
12 that would have accrued on the grant amount shall be
13 established by the state auditor's office.

14 (d) Any revenues generated by the state from the
15 lease, sale, assignment or transfer of ownership of proj-
16 ect water or the project itself shall be deposited in the
17 Wyoming water development account funded by revenues under
18 W.S. 39-6-305(g).

19 (e) The district shall be responsible for operation
20 and maintenance of the project.

21 Section 6. There is appropriated from that portion
22 of the water development account funded by revenues under

1 W.S. 39-6-305(g) to the board two million two hundred
2 thousand dollars (\$2,200,000.00) or as much thereof as is
3 necessary to carry out the purpose of this act. Unex-
4 pended funds appropriated under this section shall revert
5 to the water development account funded by revenues under
6 W.S. 39-6-305(g) on July 1, 1990.

7 Section 7. This act is effective immediately upon
8 completion of all acts necessary for a bill to become law
9 as provided by Article 4, Section 8 of the Wyoming Consti-
10 tution.

11 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>Fiscal Year 19</u>	<u>Fiscal Year 19</u>
_____	_____	_____
_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____

=====

<u>Anticipated COST to:</u>	<u>Fiscal Year 1986</u>	<u>Fiscal Year 19</u>
Water Development Account I	\$2,200,000.00	
TOTAL ESTIMATED COST	\$2,200,000.00	

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1. The bill provides for the appropriation indicated.
2. No apparent personnel impact.