

**Wyoming Water Development Commission
Meeting
Water Development Office, 6920 Yellowtail Rd., Cheyenne, WY
October 5, 2018**

Audio only links for the workshop and meeting can be found on our website: <http://wwdc.state.wy.us/>
Please check back for any updates to the E-Notebook materials on our website

Friday, October 5, 2018 8:30 a.m. Meeting Agenda:

- 1. Roll Call**
- 2. Recognition of Members present to establish quorum**
- 3. Audience Introductions**
- 4. Approval of Minutes (N)**
 - August 15, 2018 Joint Workshop
 - August 17, 2018 Joint Meeting
- 5. Demonstration of Waterplan Website and Data Visualization tools – WRDS**
- 6. Closeout Memos (O)**
 - Clearmont Test Well, Level II Study
 - South Platte Watershed Study
- 7. 2019 Planning Projects Consultant Selection Approval (P)**
 - Bluff/Upper Bluff Irrigation Districts Master Plan, Level I
 - Boulder Irrigation District Rehabilitation, Level II
 - Evanston Water Master Plan, Level I
 - Lake DeSmet/Healy Reservoir Utilization Study, Level II
 - LaPrele Irrigation District Rehabilitation, Level II
 - Salt Creek-Edgerton-Midwest Water Master Plan, Level I
 - Torrington Water Master Plan, Level I
- 8. Request to use WDA II Sponsor Contingency Funds (Q)**
 - Leiter Ditch Rehabilitation 2016, Level III
- 9. Construction Progress Reports (R)**
 - Kemmerer Transmission Pipeline 2018
 - Sundance Transmission Pipeline 2016
 - Sundance PRV 2016

10. Discussion

- Gillette Madison Update

11. Future Meetings Schedule (S)

- November 7-9, 2018 – Wyoming Contractor's Association, Casper, WY
- 2019 Meeting Schedule

WYOMING WATER DEVELOPMENT COMMISSION

COMMISSIONERS

September 2018

Nick Bettas (D) (3/1/19) 1328 Uinta Drive Kemmerer, WY 83101 (H) 877-3402 (C) 679-4494	Water Division IV
Karen Budd-Falen (R) (3/1/21) Budd-Falen Law Office 300 East 18 th Street Cheyenne, WY 82001 P.O. Box 346, 82003-0346 (W) 632-5105 Ext. 106	Member-at-Large
David Evans (D) (3/1/19) 2837 Deming Blvd. Cheyenne, WY 82001 (W) 634-1525	Water Division I
Gerald Geis (R) (3/1/21) 600 Holly Avenue Worland, WY 82401 (H) 347-6443	Water Division III
Clinton W. Glick (R) (3/1/22) P.O. Box 1308 Fort Washakie, WY 82514 (C) 307-349-0103	Wind River Indian Reservation
Kellen Lancaster (R) (3/1/21) 287 Star West Drive Afton, WY 83110 (C) 887-1400	Water Division IV
Sheridan Little (R) (3/1/19) P.O. Box 165 Leiter, WY 82837 (C) 620-0923	Water Division II
Jeanette Sekan (D) (3/1/19) 150 Southfork Road Cody, WY 82414 (C) 899-3660	Water Division III
Larry Suchor (R) (3/1/21) 21 Spruce Street Pine Haven, WY 82721 (H) 756-9491	Water Division II
Rodney K. Wagner (R) (3/1/21) 3715 Road 86 Lingle, WY 82223 (H) 837-2786	Water Division I

WYOMING WATER DEVELOPMENT COMMISSION

COMMISSIONERS

Nick Bettas	Water Division IV
Karen Budd-Falen, Vice-Secretary	Member-at-Large
David Evans, Chairman	Water Division I
Gerald Geis	Water Division III
Clinton W. Glick	Wind River Indian Reservation
Kellen Lancaster, Secretary	Water Division IV
Sheridan Little	Water Division II
Jeanette Sekan	Water Division III
Larry Suchor, Vice-Chairman	Water Division II
Rodney Wagner	Water Division I

STAFF

Harry LaBonde	Director
Andrea Odell	Administrative/Fiscal Manager
Janet Belmonte	Accountant
Nancy Casner	Office Support Specialist
Barry Lawrence	Deputy Director – Planning
Kevin Boyce	Project Manager
Keith Clarey	Project Manager
Julie Gondzar	Project Manager
Dave Myer	Project Manager
Jodie Pavlica	Project Manager
Katie Talbott	Outreach Coordinator
Chace Tavelli	Project Manager
Jodee Pring	Supervisor-River Basin Planning
Peter Gill	Project Manager
Jason Mead	Deputy Director – Dams & Reservoirs
Andrew Linch	Project Manager
Tony Rutherford	Project Manager
Brian Smith	High Savery Dam Technician
Bryan Clerkin	Deputy Director – Construction
Bill Brewer	Project Manager
Keenan Hendon	Project Manager
Ken Mitchell	Project Manager
Wade Verplancke	Project Manager

ADVISORS

Daniel Solish	Attorney General's Office
Pat Tyrrell	State Engineer
Greg Kerr	University of Wyoming
Shawn Reese	Wyoming Business Council

**Wyoming Water Development Commission/Select Water Committee
Joint Workshop
Cam-Plex, Frontier Hall, 1635 Reata Dr., Gillette, WY
August 15, 2018**

1. Chairman David Evans called the workshop to order at 1:31pm.

Roll Call

Commission attendance:

David Evans, Chairman
Larry Suchor, Vice-Chairman
Kellen Lancaster, Secretary
Gerald Geis
Sheridan Little
Rodney Wagner
Nick Bettas
Clinton Glick
Jeanette Sekan
Karen Budd-Falen

Select Water Attendance:

Representative Hans Hunt
Senator Larry Hicks
Senator Liisa Anselmi-Dalton
Senator Dan Dockstader
Senator Glenn Moniz
Senator Ogden Driskill
Representative John Eklund
Representative Jerry Paxton
Representative Dan Laursen

2. **Audience Introduction**

3. **Public Water System Survey Results (WRDS)**

Chris Nicholson, Director of the Water Resources Data Systems (WRDS) in Laramie, made a presentation of the results of the 2018 Public Water System Survey. Of the 192 Public Water Systems in the WRDS database, 100 Public Water System Entities responded.

4. **Gillette/Campbell County Water System Survey Results**

Bryan Clerkin, Deputy Director, Construction Division of WWDO presented information regarding the survey. Only 3 of 15 surveys were completed. Several questions were asked and discussion followed.

5. **Financial Information**

Director LaBonde presented the financial projections for WDA I, II, III for the 2019-2020 biennium. Projected funds available for the 2019 Water Development Program are:

WDA I: \$46,225,575.00
WDA II: \$ 9,073,276.00

WDA III: \$56,798,275.00

Director LaBonde also provided financial summaries and projections of the Reservoir O&M accounts. He recommended the following:

- Transfer \$5,500,000.00 from the Buffalo Bill account to WDA I.
- Transfer \$75,000.00 from the Buffalo Bill account to the Miscellaneous Water Account

Discussion followed, the Commission and Select Water Committee will take action on Friday, August 17, 2018 during the joint meeting.

6. New Planning Project Process

Barry Lawrence, Deputy Director, Planning Division of the WWDO reviewed for the Commission the process, upcoming proposal distribution, and interviews to be held October 4, 2018 in Cheyenne.

7. Update of Level III Construction Projects

Bryan Clerkin presented, for information only, progress reports on the following projects:

- Gillette Regional Extensions 2013
- Jeffrey City Water System Improvements
- Lusk Water System Improvements 2018
- Pine Haven Well and Tank
- Sweetwater Water Supply
- Wheatland No. 7 Well

8. Report from State Forester regarding staffing required to complete Wildfire Hazard Mitigation Studies

Jodee Pring relayed to the Commission and Select Water Committee information she received from Bill Crapser, State Forester. Mr. Crapser indicated if they had one additional employee available, they could complete one study per year. Jodee estimated the annual cost of the position, if requested and acquired by State Forestry, would cost approximately \$86,688.00 per year including benefits.

9. Overview of the August 16th tour

Bryan Clerkin gave a brief description of the tour stops.

The workshop adjourned at 4:18pm

Respectfully submitted,

Kellen Lancaster, Secretary

**Wyoming Water Development Commission/Select Water Committee
Joint Meeting
Cam-Plex, Frontier Hall, 1635 Reata Dr., Gillette, WY
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2. Roll Call

Commission attendance:
David Evans, Chairman
Larry Suchor, Vice-Chairman
Kellen Lancaster, Secretary
Gerald Geis
Sheridan Little
Rodney Wagner
Nick Bettas
Clinton Glick
Jeanette Sekan
Karen Budd-Falen

Select Water Attendance:
Representative Hans Hunt
Senator Larry Hicks
Senator Liisa Anselmi-Dalton
Senator Dan Dockstader
Senator Glenn Moniz
Senator Ogden Driskill
Senator Curt Meier
Representative Jerry Paxton
Representative Dan Laursen
Representative John Eklund

3. Approval of Minutes

Gerald Geis made a motion to approve the June 14, 2018 Joint Workshop and June 15, 2018 Joint Meeting minutes. Sheridan Little seconded the motion; motion carried unanimously.

In similar action, Select Water Committee approved their April 3, 2018 and June 15, 2018 Meeting Minutes.

4. Audience Introductions

5. Closeout of Planning Projects

Basin Planning: Environmental and Recreational Use Study

Jodee Pring gave a brief summary of the project. Gerry Geis made a motion to accept the Basin Planning: Environmental and Recreational Use Study reports as being complete and further, the WWDC makes the following findings relative to this project:

That the recommendations from this study be considered as part of the overall River Basin Planning strategy.

Rodney Wagner seconded the motion; the motion carried unanimously.

6. Small Water Project – Revision of Project Description

An email request was received from the Little Snake River Conservancy District requesting a contract modification for the Muddy Mountain Deep Creek Pasture Stock Ponds small water project. The request involved changing the project from stock ponds to a stock well.

Larry Suchor made a motion to permit the amendment to the agreement. Kellen Lancaster seconded the motion; motion carried unanimously.

7. USGS/WWDC Joint Funding Agreement for StreamStats

Jodee Pring presented the funding agreement between the USGS and the WWDC for Water Resource Investigations pertaining to the StreamStats project. The funding agreement is: \$48,648.00 to be contributed by the USGS and \$90,347.00 to be contributed by the WWDC.

Gerry Geis moved to approve the agreement, Sheridan Little seconded the motion. The motion carried unanimously.

In similar action, the Select Water Committee approved the funding agreement between the USGS and the WWDC.

8. Item Number 8 was stricken from the agenda prior to the meeting.

9. Consideration of recommendations for Reservoir O&M Accounts

Per W.S. 99-99-1001(c) Director LaBonde recommended transferring \$5,500,000.00 from the Buffalo Bill Dam Account to WDA I in FY 2019. This transfer to WDA I is subject to the approval of the full legislature. In addition, per W.S. 99-99-1001(e) Director LaBonde recommended transferring \$75,000.00 in FY 2019 from the Buffalo Bill Dam Account to the Miscellaneous Water Investment Account to meet the annual obligations for OM&R of Seminoe Dam.

Larry Suchor made a motion to accept the Director's recommendations regarding the fund transfers. Kellen Lancaster seconded the motion; motion carried unanimously.

In similar action, the Select Water Committee voted to concur with the fund transfer recommendations.

10. Proposed Revisions to the Wyoming Water Development Program – Operating Criteria

Based on a new statute approved by the 2018 Legislature, changes were made to the Small Water Project Program. Director LaBonde sought the approval for the corresponding changes to the Water Development Program Operating Criteria as well as the Small Water Project Program Operating Criteria. The primary change was to remove the \$135,000.00 cap in defining a small water project.

Karen Budd-Falen made a motion to approve the changes to each criteria. Gerry Geis seconded the motion; motion carried unanimously.

11. Gillette Madison Pipeline Project – Private Well Issues

The City of Gillette provided an in depth presentation to the WWDC and SWC. In the presentation they outlined the background of the project, issues with the project and what the City of Gillette saw as options to move forward. Discussion followed. Staff from the State Engineer’s Office were on hand to handle questions relating to permitting and water rights. Landowners addressed the Commission and Committee with their individual concerns.

Karen Budd-Falen encouraged a resolution, agreement and time line to get water to landowners immediately. A conference call will be initiated the week following the meeting to address the issues.

12. Discussion on Draft Legislation – Water Banking

Josh Anderson, staff attorney for the Legislative Services Office and Select Water Committee presented the draft legislation titled ‘Water Banking’ proposed by Senator Larry Hicks. Discussion followed. Several members of the Committee as well as the State Engineer’s Office and Director LaBonde of the WWDO volunteered to edit the draft legislation.

13. Discussion on the LaVA project in the Medicine Bow National Forest

The Forest Service is preparing an environmental impact statement (EIS) on its proposed treatment of 150,000 acres of insect-infested areas of the Medicine Bow National Forest (MBNF). The Forest Service believes this treatment is necessary to ensure the future health of the MBNF. Senator Larry Hicks led the discussion regarding the LaVa project and comments he prepared on behalf of the Select Water Committee. Representative Jerry Paxton moved to submit the comments on behalf of the SWC, Representative Dan Laursen seconded the motion; motion carried.

14. Discussion

- Director LaBonde provided an update on the current Weather Modification programs.
- Director LaBonde provided an update on the purchase of Healy Reservoir and ongoing discussions with Johnson County.
- Director LaBonde briefed the Commission and Committee on the Middle Piney Groundbreaking ceremony held on July 18, 2018.

15. Future Meeting Schedule

- The WWDC will meet in Cheyenne on October 4-5, 2018 to conduct planning project interviews on Thursday, October 4 and will meet on October 5, 2018 for consultant selection approval.
- The WWDC/SWC will meet November 7-9, 2018 in Casper, WY at the Wyoming Contractors Association Regional Training Center.
- The WWDC will meet December 12-13, 2018 in Cheyenne to consider the Omnibus Water Bills.
- The SWC will meet December 14, 2018 in Cheyenne to consider the Omnibus Water Bills.

Motion to adjourn at 1:07pm

Respectfully submitted,

Kellen Lancaster, Secretary



**FINAL PROJECT CLOSEOUT MEMO
FOR LEVEL I AND II PLANNING PROJECTS
WYOMING WATER DEVELOPMENT OFFICE
PLANNING DIVISION**



The Planning Project listed below is complete and scheduled for closeout. This memo serves to summarize the findings of the final report and to document the final contract amount.

PROJECT: Clearmont Test Well Study
LEVEL: II
SPONSOR: Town of Clearmont
LOCATION: Clearmont, Wyoming
PROGRAM: New Development
PROJECT MGR: Keith Clarey
WWDC MTG DATE: October 5, 2018

AUTHORIZING LEGISLATION:

<u>Purpose</u>	<u>Chapter</u>	<u>Session</u>	<u>Account</u>	<u>Appropriation</u>	<u>Due Date</u>
Level II	168	2015	I	\$750,000	2018

CURRENT CONTRACT:

Consultant
Weston Engineering, Inc.

<u>Contract Number</u>	<u>Executed</u>	<u>Original Contract Amount</u>	<u>Final Contract Amount</u>	<u>Contract Savings Amount</u>	<u>Expiration Date</u>
05SC0296302	6-8-15	\$597,400*	\$557,447.37	\$39,952.63	6-30-18

* Includes contract increase of \$30,000 through Amendment No. 1, executed 11-17-16.

PROJECT DESCRIPTION:

A WWDC Level I study was completed in 2008 to determine the impacts of coal bed methane (CBM) development on the Town of Clearmont's two water supply wells. The two wells are constructed into the Wasatch/Fort Union aquifer system and are over 35 years old. Using both wells, the Town has sufficient water supply. However, if Well No. 2 becomes inoperable, the Town would not be able to meet its water supply demands. One of the recommendations of the Level I Study was to apply to the WWDC for the Level II test well study for a well siting study and completion of an exploratory test well.

A test well (Clearmont Well No. 3) was completed to a depth of 1,626 feet in April 2016. The well was completed into the Tongue River Member of the Fort Union Formation. Although the well yields 120 gpm, the water quality is considered marginal, being of lower quality than the two existing Town wells. At the test well site, the thickness of the alluvial deposits was 70 feet instead of the usual 25 feet thick in the area. A second test well (Clearmont Alluvial Test Well) was completed to a depth of 70 feet in August 2017. This alluvial well yielded very poor quality water, which is not suitable for drinking.

PROJECT FINDINGS/RECOMMENDATIONS:

As part of this Level II feasibility study, a deep test well, Clearmont Well No. 3, was sited, designed, and constructed to a depth 1,626 feet into the Tongue River Member of the Fort Union Formation in 2016. The

well is recommended to yield 100 gpm with moderate water quality, which is a little poorer quality than the two existing wells (Clearmont Wells No. 1 and No. 2).

Because of the less-than-desirable water quality in the deep test well, a second shallow test well, named the Clearmont Alluvial Well, was constructed in the alluvial aquifer to a depth of 70 feet in 2017. This second test well yielded 15 gpm but the water quality was very poor with a total dissolved solids (TDS) of 7,620 milligrams per liter. This alluvial water is considered as non-potable.

During the Level II study, six (6) water supply alternatives were identified for the Town of Clearmont:

1. 'Do Nothing'
2. Connect Clearmont Well No. 3
3. Utilize a Groundwater Treatment System
4. Initiate Water Treatment at Point-of-Use
5. Construct a Surface Water Treatment Plant
6. Create a Town-Wide Raw Water Irrigation System

Conceptual designs and cost estimates were prepared for the alternatives. In August 2018, the Town of Clearmont selected Alternative No. 2 – Connect Clearmont Well No. 3.

PUBLIC REPORT PRESENTATION HEARING: Y

<u>Date</u>	<u>Location</u>	<u>City/Town</u>
6-26-18	Clearmont Town Hall, 1605 Pennsylvania Ave.	Clearmont

FINAL REPORT/EXECUTIVE SUMMARIES ONLINE:

Final Report: http://library.wrds.uwyo.edu/wwdcrept/Clearmont/Clearmont-Test_Well_Level_II_Study-Final_Report-2018.html

Executive Summary: http://library.wrds.uwyo.edu/wwdcrept/Clearmont/Clearmont-Test_Well_Level_II_Study-Executive_Summary-2018.html

WWDO RECOMMENDATION:

On August 21, 2018, the Town of Clearmont applied for 2019 WWDC Level III Construction funding for the WWDC-eligible components of this project to purchase the Clearmont Well #3 and connect the well to their water system for additional supply. The Total Estimated Project Cost for Alternative No. 2 is approximately \$731,915. The WWDO is currently preparing a Recommendation for this 2019 Level III project.

WWDC PROPOSED MOTION:

I move acceptance of the Clearmont Test Well, Level II Study project report as being complete and further, the WWDC makes the following findings relative to this project:

1. That the Commission recommend:
 - Proceeding to Level III of project development upon the submittal of an appropriate funding application by the sponsor.
2. Based on the findings in the final report, the project is determined to be in the public interest.
3. The project functions and services cannot realistically be provided by any person, association or corporation engaged in private enterprise.



**FINAL PROJECT CLOSEOUT MEMO
FOR LEVEL I AND II PLANNING PROJECTS
WYOMING WATER DEVELOPMENT OFFICE
PLANNING DIVISION**



The Planning Project listed below is complete and scheduled for closeout. This memo serves to summarize the findings of the final report and to document the final contract amount.

PROJECT: South Platte River Watershed Study
LEVEL: I
SPONSOR: Laramie County Conservation District
LOCATION: South Platte River Basin, Southeastern Wyoming
PROGRAM: New Development
PROJECT MGR: Jodie Pavlica
WWDC MTG DATE: October 5, 2018

AUTHORIZING LEGISLATION:

<u>Purpose</u>	<u>Chapter</u>	<u>Session</u>	<u>Account</u>	<u>Appropriation</u>	<u>Due Date</u>
Level I	38	2016	I	\$395,000	2019

CURRENT CONTRACT:

Consultant

Dahlgren Consulting, Inc.

<u>Contract Number</u>	<u>Executed</u>	<u>Original Contract Amount</u>	<u>Final Contract Amount</u>	<u>Contract Savings Amount</u>	<u>Expiration Date</u>
05SC0296616	6-10-16	\$388,000	\$378,000	\$10,000	6-30-18

PROJECT DESCRIPTION:

The Laramie County Conservation District requested a watershed study from the 2016 Legislature to evaluate the condition of their watershed, and to provide hydro-geologically based recommendations for future groundwater resource management. The information they received provides baseline data that the District is using to implement management practices that address the natural resource issues within the drainage.

PROJECT FINDINGS/RECOMMENDATIONS:

During the course of the Study the Consultant compiled data on the following topics:

- Land ownership, land use, and cultural resources
- Land cover and vegetation, including wetlands
- Climate
- Surface water hydrology, including data concerning stream gages, estimates of the surface water supply, and discussion of flood events
- Water quality
- Wildlife resources
- Geology and groundwater resources
- Estimates of water use, and
- A description of the watershed's trans-basin diversion

In addition to the general topics listed above, the Consultant provided special emphasis on the topics below, which are of additional relevance to the South Platte Basin.

- An analyses of surface water hydrology and water supply in the Crow Creek and Lodgepole Creek sub-basins
- A review of irrigated land within the watershed and
- A determination of the source of supply for the watershed's irrigated land

Utilizing the information described above the Consultant provided a water budget for the agricultural areas in the Albin, Pine Bluffs, and Carpenter Areas. Table 3.51 from the report is provided on the next page. Included in the table is an estimated reduction in groundwater use to prevent further aquifer depletion. The study team feels that the approach developed in this study can be used as a template for other areas in the watershed and can be modified to estimate groundwater availability in other sub-watersheds. Refinement of the data provided on the next page will be possible as additional data is gathered on actual pumping amounts.

In addition to the groundwater analysis described above, the watershed study team met with 61 landowners and identified over 100 Small Water Program projects that will provide public benefit to the watershed. Of the projects identified, 92 were located in Laramie County and 15 were located in Albany County. There were 20 small reservoir projects, 40 stock well projects, 20 spring developments, 14 environmental projects, and 11 irrigation projects.

Table 3.51 South Platte River Watershed Study – Summary of Water Budget

Agricultural Center	Area (acres)	Recharge Rate (in/yr) ¹	Recharge vol (af/yr)	Irrigated Lands (acres)	Irrigated Pumping (af/yr) ²	Other pumping (af/yr) ³	Total pumping (af/yr)	Flow in stream ⁴	Evapo-transpiration	Groundwater removed from storage (pumping - recharge)	Reduction required for stable groundwater levels (% of groundwater pumping)
Albin	99,205	1.00	8,267	9,495	9,495	374	9,869	0	0	1,602	16%
Pine Bluffs	138,729	1.00	11,561	14,292	14,292	825	15,117	?	0	3,556	24%
Carpenter	28,731	1.00	2,394	4,796	4,796	135	4,931	2,000	0	537	11%

¹From average trend for Lower Lodgepole (Groundwater Availability Memorandum, Albin Area)

²Assumed 1 acre-foot per acre of irrigation, based on SEO requirements

³Details for pumping from non-irrigation wells provided in other sheets in this workbook

⁴Flow in stream estimated. Should be updated with seepage data.

PUBLIC REPORT PRESENTATION

HEARING: N

Date

Location

City/Town

5-10-18

Water Development Office, 6920 Yellowtail Rd.

Cheyenne

FINAL REPORT/EXECUTIVE SUMMARIES ONLINE:

Final Report:

http://library.wrds.uwyo.edu/wwdcrept/South_Platte_River/South_Platte_River_Watershed-Level_I_Study-Final_Report-2018.html

Executive Summary:

http://library.wrds.uwyo.edu/wwdcrept/South_Platte_River/South_Platte_River_Watershed-Level_I_Study-Executive_Summary-2018.html

WWDO RECOMMENDATION:

Based on this study, the Office recommends supporting the funding of Small Water Program projects and conventional projects within this watershed on a case by case basis.

WWDC PROPOSED MOTION:

I move acceptance of the South Platte River Watershed Level I Study project report as being complete and further, the WWDC makes the following findings relative to this project:

That the Commission recommends proceeding to the next Level of project development upon the submittal of an appropriate funding application by the sponsor.

Approval of Consultant Selection

- **Bluff/Upper Bluff Irrigation Districts Master Plan, LI**
- **Boulder Irrigation District Rehabilitation, LII**
- **Evanston Water Master Plan, LI**
- **Lake DeSmet/Healy Reservoir Utilization Study, LII**
- **LaPrele Irrigation District Rehabilitation, LII**
- **Salt Creek – Edgerton – Midwest Water Master Plan, LI**
- **Torrington Water Master Plan, LI**

2019 WWDC PLANNING PROJECTS - CONSULTANT INTERVIEW SCHEDULE

THURSDAY, OCTOBER 4, 2018

7:30 AM

Room:	Evanston Water MP	Torrington Water MP
8:00 AM	Sunrise Eng WHS Forsgren	Baker & Assoc AVI Sunrise Eng
9:00 AM		
10:00 AM		
Team:		
Staff Manager	Myer	Clarey
Comm. 1	Bettas	Geis
Comm. 2	Lancaster	Wagner
Advisor	Boyce	Gondzar
Sponsor	Dean Barker	Tom Troxel

6:00 PM

Room:	LaPrele ID Rehab
8:00 AM	WWDO - Conference Up Tavelli Budd-Falen Wagner Colt Rodeman
9:00 AM	
10:00 AM	
11:00 AM	

Open
Budd-Falen
Evans
Glick
Little
Sekan
Suchor

12:30 PM

Room:	Salt Cr-Edgerton-Midwest	Bluff/Upper Bluff ID MP	Boulder ID Rehab	Lake DeSmet Utilization
1:00 PM	Morrison-Maierle CEPI	Western Heritage Y2	Wenck WHS	EnTech DOWL WWC
2:00 PM				
3:00 PM				
Team:				
Staff Manager	Tavelli	Gill	Rutherford	Linch
Comm. 1	Evans	Geis	Bettas	Little
Comm. 2	Wagner	Glick	Budd-Falen	Suchor
Advisor	Pavlica	Pring	Nathan Graves	Bill Novotny
Sponsor	Michelle Gibbs	John Snyder	Joe Gillis	Mead

Open
Lancaster
Sekan



WYOMING WATER DEVELOPMENT OFFICE

6920 Yellowtail Road
Cheyenne, WY 82002

Phone: (307) 777-7626
wwdc.state.wy.us

Matthew H. Mead
Governor

Commissioners

Nick Bettas	Kellen K. Lancaster
Karen Budd-Falen	Sheridan Little
David Evans	Jeanette Sekan
Gerald E. Geis	Larry Suchor
Clinton W. Glick	Rodney Wagner

Harry C. LaBonde, Jr., P.E.
Director

MEMO

To: Harry LaBonde Jr., Director, WWDO
Bryan Clerkin, Deputy Director, Construction Division, WWDO

From: Ken Mitchell, Project Manager

Subject: Leiter Ditch Rehabilitation 2016

Date: 09/13/2018

The Leiter Ditch Rehabilitation 2016 Project is a Level III project authorized in 2016 Wyoming Session Laws, Chapter 55. The Lower Clear Creek Irrigation District (LCCID) is the sponsor and the purpose of the project was to rehabilitate the Leiter Ditch in order for the design flow of 200 gpm to be achieved. The current appropriation is 67% grant in the amount of \$877,700.00 and 33% loan in the amount of \$432,300.00 totaling \$1,310,000.00 for an estimated \$1,300,000.00 project.

During the design of the project, the geotechnical report identified corrosive soils in an area of the project where pipe would be laid. The engineer identified two (2) materials which would be suitable in resisting corrosion from the corrosive soils. The two materials identified were corrugated metal pipe (CMP) and reinforced concrete pipe (RCP). After the Sponsor received bids on August 23, 2018, it was realized that the CMP came in close to budget, but the RCP would put the project over budget. The LCCID expressed to the engineer and WWDO project manager that they would prefer the RCP due to the longevity of the material when exposed to water, atmospheric elements and the corrosive soils.

It appears an additional **\$261,000** will be required to complete the project if RCP is used and to allow for a 10% contingency. The Sponsor is currently requesting additional funds in the amount of \$174,870.00 grant (67%) and \$86,130.00 loan (33%) to help cover the costs associated with installing the RCP from the Water Development Account II - Sponsors Contingency Fund.

Current Appropriation:

WWDC Grant	\$ 877,700
<u>WWDC Loan</u>	<u>\$ 432,300</u>
Total Funding	\$1,310,000

Project Commitments:

Engineer	\$ 185,579
<u>Contractor (pending)</u>	<u>\$1,259,206</u>
Total Commitment	\$1,444,785

<u>Construction Contingency</u>	<u>10%</u>	<u>\$ 125,921</u>
Total Anticipated Project Cost		\$1,570,706
Use		\$1,571,000

Appropriation With Additional Funding:

WWDC Grant (67%)	\$1,052,570
<u>WWDC Loan (33%)</u>	<u>\$ 518,430</u>
Total Funding	\$1,571,000

The WWDO staff recommends that the Wyoming Water Development Commission authorize the use of **\$261,000** from the Water Development Account II Sponsor's Contingency Fund for the Leiter Ditch Rehabilitation 2016 Project and approve an Amendment to the Project Agreement to allow for a full 10% contingency to complete the project.

September 12, 2018

To: Harry LaBonde
Re: Lower Clear Creek Irrigation District additional funding

Dear Mr. LaBonde,

After much consideration, the Lower Clear Creek Irrigation District has decided it would be best for their long term goals in the reconstruction of the Leiter ditch to use RCP pipe instead of the CMP pipe. The durability and life expectancy of the RCP makes it seem like the best choice.

This alteration to the original plan would require additional funding of \$260,705.99, which would put us over budget. The original appropriation was approved for \$1,310,000 and this would raise it to \$1,570,705.99.

Original appropriation	\$1,310,000.00
Additional cost of RCP pipe	<u>260,705.99</u>
Total new budget	\$1,570,705.99

The L.C.C.I.D. would greatly appreciate it if the Wyoming Water Development Commission could allocate the additional funding of \$260,705.99 in the form of a grant/loan package so that we could extend the useful life of this project for as long as possible.

Thank you for your consideration on this matter.

Sincerely,



David R. Perry
President Lower Clear Creek Irrigation District

RECEIVED

SEP 19 2018

WY WATER DEVELOPMENT OFFICE

**AMENDMENT ONE TO PROJECT AGREEMENT
LEITER DITCH REHABILITATION 2016**

1. Parties. This Amendment is made and entered into by and between the State of Wyoming, acting by and through the WYOMING WATER DEVELOPMENT COMMISSION and WATER DEVELOPMENT OFFICE [collectively, COMMISSION] and LOWER CLEAR CREEK IRRIGATION DISTRICT, Johnson County, Wyoming, a duly organized irrigation district existing under the laws of that state [SPONSOR].

2. Purpose of Amendment. This Amendment shall constitute the first amendment to the Project Agreement between the COMMISSION and the SPONSOR. The purpose of this Amendment is to: a) supplement the PROJECT with funding from the Sponsor's Contingency Fund; and b) change the conditions for disbursing funds.

The original Project Agreement, dated March 22, 2017 was to implement the provisions of the 2016 Wyo. Sess. Laws, Ch. 55, authorizing the design, construction and operation of the Leiter Ditch Rehabilitation 2016 Project.

3. Term of the Amendment. This Amendment shall be effective upon the date the last required signature is affixed hereto, and shall remain in full force and effect through the term of the Project Agreement, as amended, unless terminated at an earlier date pursuant to the provisions of the Project Agreement, or pursuant to federal or state statute, rule or regulation.

4. Amendments.

A. The PROJECT funding as set forth in Section 4.A. of the original Project Agreement is hereby amended to read as follows:

4.A. The STATE OF WYOMING has appropriated from the Water Development Account created by Wyo. Stat. § 41-2-124 (a)(ii), to the COMMISSION, a sum not to exceed ONE MILLION, THREE HUNDRED TEN THOUSAND DOLLARS (\$1,310,000.00) which will be disbursed to the SPONSOR for the purpose of completing the aforementioned PROJECT. In addition, the COMMISSION has allocated TWO HUNDRED SIXTY-ONE THOUSAND DOLLARS (\$261,000.00) from the Sponsor's Contingency Fund, which will be disbursed to the SPONSOR for the purpose of completing the aforementioned PROJECT. The funds are divided as follows:

(1) A grant to the SPONSOR of not more than EIGHT HUNDRED SEVENTY-SEVEN THOUSAND, SEVEN HUNDRED DOLLARS (\$877,700.00) or sixty-seven percent (67%) of the actual development costs, whichever is less until it is entirely disbursed, followed by:

(2) A grant to the SPONSOR of not more than ONE HUNDRED SEVENTY-FOUR THOUSAND EIGHT HUNDRED SEVENTY DOLLARS (\$174,870.00) or sixty-seven percent (67%) of the additional funds needed to complete the PROJECT, whichever is less.

(3) A loan to the SPONSOR of not more than FOUR HUNDRED THIRTY-TWO THOUSAND, THREE HUNDRED DOLLARS (\$432,300.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years at an annual interest rate of four percent (4.0%) until it is entirely disbursed, followed by:

(4) A loan to the SPONSOR of not more than EIGHTY-SIX THOUSAND, ONE HUNDRED THIRTY DOLLARS (\$86,130.00) or thirty-three percent (33%) of the additional funds needed to complete the PROJECT, whichever is less, for a term of thirty (30) years at an annual interest rate of four percent (4.0%).

B. The list of conditions as described in Section 4.G. of the original Project Agreement is hereby amended to read as follows:

4.G. As conditions for disbursing funds to the SPONSOR, the SPONSOR shall:

- (1) Provide to the COMMISSION for prior examination of and concurrence with all contracts to be executed by the SPONSOR for all work contemplated by this Agreement and any changes or work orders for items not covered in the contract documents.
- (2) Provide to the COMMISSION for examination and concurrence with all plans and specifications prepared and any bids received prior to bidding and project award.
- (3) Cause the SPONSOR'S ENGINEER to hold progress review meetings at the ten percent (10%), fifty percent (50%) and ninety percent (90%) levels of completion of the PROJECT plans.
- (4) Comply with all applicable State statutes regarding contractor retainage accounts.
- (5) Cause the SPONSOR'S ENGINEER to provide to the COMMISSION a summary of bids received.
- (6) Communicate to the COMMISSION all information on all aspects of the PROJECT and require that the SPONSOR'S ENGINEER submit or make available for inspection, such reports on the progress of the work and on the results of tests of materials and workmanship requested by the COMMISSION.
- (7) Provide to the COMMISSION for review the qualifications of the engineering or consulting firm proposed by the SPONSOR to design, inspect and monitor construction of the PROJECT. Said examination shall include, but not be limited to, supervisory position assignments. The COMMISSION may review any changes to engineering or consulting firm personnel assigned to the PROJECT.
- (8) Prior to incurring any cost increases to the PROJECT, the SPONSOR shall submit all proposed cost increases to the COMMISSION for review and written concurrence. The SPONSOR shall execute an amendment or change order for all changes to the engineer's or contractor's contract.

C. Renewal Promissory Note. As of the Effective Date of this Amendment, the Promissory Note, dated 3/14/2017, which was attached to the original Project Agreement, is superseded and replaced by Attachment A, Renewal Promissory Note, which is attached to this Amendment and incorporated into the original Project Agreement by this reference. All references to "Promissory Note" in the original Project Agreement, and in any amendments thereto, are amended to read: "Attachment A".

D. Renewal Security Agreement. As of the Effective Date of this Amendment, the Security Agreement, dated 3/14/2017, which was attached to the original Project Agreement, is superseded and replaced by Attachment B, Renewal Security Agreement, which is attached to this Amendment and incorporated into the original Project Agreement by this reference. All references to "Security Agreement" in the original Project Agreement, and in any amendments thereto, are amended to read: "Attachment B".

5. Special Provisions.

A. Same Terms and Conditions. With the exception of items explicitly delineated in this Amendment, all terms and conditions of the original Project Agreement, and any previous amendments, between the COMMISSION and the SPONSOR,

including but not limited to sovereign immunity, shall remain unchanged and in full force and effect.

B. This Amendment may be executed in counterparts. Each counterpart, when executed and delivered, shall be deemed an original and all counterparts together shall constitute one and the same Amendment. Delivery by the SPONSOR of an originally signed counterpart of this Amendment by PDF shall be followed up immediately by delivery of the originally signed counterpart to the COMMISSION.

6. General Provisions.

A. Entirety of Agreement. The original Project Agreement, consisting of eight (8) pages; the Promissory Note, consisting of two (2) pages; the Security Agreement, consisting of four (4) pages; this Amendment One, consisting of four (4) pages; Attachment A, Renewal Promissory Note, consisting of two (2) pages; and Attachment B, Renewal Security Agreement, consisting of four (4) pages, represent the entire and integrated agreement between the parties and supersede all prior and contemporaneous negotiations, representations and agreements, whether written or oral.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

7. **Signatures.** The parties to this Amendment, either personally or through their duly authorized representatives, have executed this Amendment on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Amendment.

This Amendment is not binding on either party until approved by A&I Procurement and the Governor of the State of Wyoming or his designee, if required by Wyo. Stat. § 9-2-1016(b)(iv).

WYOMING WATER DEVELOPMENT COMMISSION

David Evans, Chairman

Date

Kellen Lancaster, Secretary

Date

LOWER CLEAR CREEK IRRIGATION DISTRICT

Dave Perry, President

Date

ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM

Tyler M. Renner, Assistant Attorney General

Date

**ATTACHMENT A
RENEWAL PROMISSORY NOTE
LOWER CLEAR CREEK IRRIGATION DISTRICT**

FOR VALUE RECEIVED, as provided in 2016 Wyoming Session Laws, Chapter 55, and the Project Agreement dated March 22, 2017 and amended on _____, the undersigned LOWER CLEAR CREEK IRRIGATION DISTRICT promises to pay to the order of the STATE OF WYOMING, WYOMING WATER DEVELOPMENT COMMISSION (hereinafter "THE COMMISSION"), 6920 Yellowtail Road, Cheyenne, Wyoming, the principal sum of FIVE HUNDRED EIGHTEEN THOUSAND FOUR HUNDRED DOLLARS (\$518,400.00), over a term of thirty (30) years, with interest thereon at the rate of four percent (4.0%) per annum as provided hereinafter.

The principal and interest shall be payable in annual installments in manner and form as follows: Thirty (30) annual payments commencing on the first day of December immediately following the first anniversary of the date on which the COMMISSION determines benefits accrue to the SPONSOR. Any loan payments required prior to final disbursement of loan funds from the COMMISSION to the SPONSOR shall be calculated by amortizing the principal balance over the remaining term of the loan at the interest rate provided herein. Upon disbursement of the final payment, the principal balance will be determined and remaining annual payments amortized over the remaining term of the loan in equal annual payments. The remaining payments will be due on or before the first day of December of each and every year with a final payment of all outstanding principal and all accrued interest due on or before the thirtieth anniversary of the date the COMMISSION determines benefits accrue to the SPONSOR, unless sooner discharged in full.

The maker hereof shall have the right and privilege of making extra payments at any time, or of paying the entire unpaid balance at any time, and in the event extra or prepayments are made, interest shall be charged thereafter only on the unpaid principal balance remaining due.

In the event that the entire unpaid balance is paid prior to maturity, no advance interest or prepayment penalty shall be assessed except for interest due and payable on the unpaid principal balance to the date of payment in full. Advance, extra or prepayments shall not reduce the annual payments as herein provided, but will operate only to discharge the loan at an earlier date.

Interest and principal not paid when due shall draw interest thereafter at the rate of ten percent (10%) per year on the delinquent interest and principal until paid.

Time is of the essence of this Renewal Promissory Note, and if the annual payment is not received by the due date of each year, the maker hereof will be in default, and the holder may proceed against the maker and its collateral as provided by law.

The waiver of the COMMISSION of any breach, condition, or provision of this Renewal Promissory Note shall be limited to the particular instance, and shall not operate or be deemed to waive any future breach or breaches of said condition or provision. The failure of either party to insist in any one instance, or more, upon the performance of any of the conditions or provisions of this Renewal Promissory Note, or to exercise any right or privilege herein conferred, shall not be construed as waiving any such condition, provision, right, or privilege, but the same shall continue in full force and effect.

This Renewal Promissory Note revises and supersedes the Promissory Note dated March 14, 2017 and is secured by a Renewal Security Agreement bearing even date herewith.

The maker and endorser of this note hereby accepts the conditions hereof and expressly waives presentment for payment, protest and notice of protest for nonpayment

hereof and all defenses on the grounds of any extension of time of payment that may be given by the holder hereof to them.

In the event of suit to enforce payment of this note or any installment, interest, or part thereof, the undersigned maker agrees to pay, in addition to the costs and disbursements provided and allowed by law, reasonable attorneys' fees.

In witness whereof, the Lower Clear Creek Irrigation District has executed this note on the _____ day of _____, 2018.

LOWER CLEAR CREEK IRRIGATION DISTRICT

By: _____
Dave Perry, President

WYOMING WATER DEVELOPMENT COMMISSION

By: _____
David Evans, Chairman

By: _____
Kellen Lancaster, Secretary



WYOMING WATER DEVELOPMENT COMMISSION
LEVEL III CONSTRUCTION REPORT
 October-2018



PROJECT: Kemmerer-Diamondville Water System

SPONSOR: Kemmerer-Diamondville Joint Powers Water Board

PROJECT DESCRIPTION: Design and construction of a redundant transmission pipeline

WWDC MANAGER: Ken Mitchell

FUNDING

WWDC Appropriation:	\$ 1,172,500.00	67.0%	WWDC Account:	I
WWDC Grant Amount:	\$ 1,172,500.00	67.0%	Session Law:	2015
WWDC Loan Amount:	\$ -	0.0%	Reversion Date:	2020

Funding Source #2:	Kemmerer Business Council			
Amount:	\$ 577,500.00	33.0%		

Total Project Budget:	\$ 1,750,000.00	100.0%		
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ENGINEERING

Engineer:	Crank Company Inc.	Agreement Date:	Dec-13-2016
Design Fee:	\$ 118,085.50		
Construction Fee:	\$ 90,861.35		
Total Fee:	\$ 208,946.85		

CONSTRUCTION

Bid Opening Date:	Aug-01-2018	Number of Bids:	3
Low Bidder:	High Country Construction	Range of Bids:	\$1.1 - \$2.1 Mil
Engineer's Estimate:	\$ 1,050,291.00	Agreement Date:	Sep-05-2018
Contractor Amount:	\$ 1,138,887.00	Construction Time:	100 calendar days

MISCELLANEOUS COSTS (Easements, Permits, Title Of Opinion, Title Search etc.)

Misc. Costs	
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PROJECT CLOSEOUT

Final Project Cost:	Date:
WWDC Funding Share:	
Other Funding Sources:	
WWDC Reverted Funding:	

PROJECT STATUS

This project had a notice to proceed for construction on September 10, 2018. It is now under construction.



WYOMING WATER DEVELOPMENT COMMISSION
LEVEL III CONSTRUCTION REPORT
 October-2018



PROJECT: Sundance Transmission Pipeline 2016 **SPONSOR:** Town of Sundance

PROJECT DESCRIPTION: Design and construction of 1.1 miles of 12-inch pipeline to extend the Cole Transmission Main

WWDC MANAGER: Ken Mitchell

FUNDING

WWDC Appropriation:	\$	713,550.00	67.0%	WWDC Account:	I
WWDC Grant Amount:	\$	713,550.00	67.0%	Session Law:	2016
WWDC Loan Amount:	\$	-	0.0%	Reversion Date:	2021

Funding Source #2:	Town of Sundance				
Amount:	\$	351,450.00	33.0%		

Total Project Budget:	\$	1,065,000.00	100.0%		
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ENGINEERING

Engineer:	Trihydro Engineering	Agreement Date:	Jul-01-2016
Design Fee:	\$	107,886.00	
Construction Fee:	\$	61,238.15	
Total Fee:	\$	169,124.15	

CONSTRUCTION

Bid Opening Date:	Jun-29-2017	Number of Bids:	2
Low Bidder:	DRM Inc.	Range of Bids:	\$722k-\$749k
Engineer's Estimate:	\$	831,492.69	Agreement Date: Jul-05-2017
Contractor Amount:	\$	796,704.05	Construction Time: 120 Calendar Day

MISCELLANEOUS COSTS (Easements, Permits, Title Of Opinion, Title Search etc.)

Misc. Costs	\$	-
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PROJECT CLOSEOUT

Final Project Cost:	\$	965,828.20	Date: 8/28/18
WWDC Funding Share:	\$	647,104.89	
Other Funding Sources:	\$	318,723.31	
WWDC Reverted Funding:	\$	66,445.11	

PROJECT STATUS

This project was closed out on 8/28/2018. A letter was received stating the project meets the expectations and is satisfactory to the Town of Sundance.



**WYOMING WATER DEVELOPMENT COMMISSION
LEVEL III CONSTRUCTION REPORT**
October-2018



PROJECT: Sundance PRV Improvements 2016 **SPONSOR:** Town of Sundance

PROJECT DESCRIPTION: Design and construction of 4 pressure reducing valves (PRV) improvements

WWDC MANAGER: Ken Mitchell

FUNDING

WWDC Appropriation:	\$	137,350.00	67.0%	WWDC Account:	I
WWDC Grant Amount:	\$	137,350.00	67.0%	Session Law:	2016
WWDC Loan Amount:	\$	-	0.0%	Reversion Date:	2021

Funding Source #2:	Town of Sundance				
Amount:	\$	67,650.00	33.0%		

Total Project Budget:	\$	205,000.00	100.0%		
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ENGINEERING

Engineer:	Trihydro Engineering		Agreement Date:	Jul-02-2016	
Design Fee:	\$	24,353.00			
Construction Fee:	\$	<u>4,534.00</u>			
Total Fee:	\$	28,887.00			

CONSTRUCTION

Bid Opening Date:	Jun-29-2017	Number of Bids:	2		
Low Bidder:	Triple Creek LLC	Range of Bids:	\$81k-\$97k		
Engineer's Estimate:	\$	99,035.35	Agreement Date:	Jul-05-2017	
Contractor Amount:	\$	97,879.70	Construction Time:	120 Calendar Day	

MISCELLANEOUS COSTS (Easements, Permits, Title Of Opinion, Title Search etc.)

Misc. Costs	\$	-			
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PROJECT CLOSEOUT

Final Project Cost:	\$	126,766.70	Date:	8/28/2018	
WWDC Funding Share:	\$	84,926.14			
Other Funding Sources:	\$	41,829.31			
WWDC Reverted Funding:	\$	52,423.86			

PROJECT STATUS

This project was closed out on 8/28/2018. A letter was received from the Town of Sundance stating the project was fully completed and functions to the satisfaction of the Town.

2019 WWDC/SWC MEETING SCHEDULE
(Sept. 2018)

MARCH

March 14, 2019	Thursday	WWDC Workshop (Cheyenne)
March 15, 2019	Friday	WWDC Meeting (Contract Approval)
TBD		SWC Meeting (Contract Approval)

MAY

May 16, 2019	Thursday	WWDC/SWC Workshop (Cheyenne)
May 17, 2019	Friday	WWDC/SWC Joint Meeting (New Level I & II Apps Review/approval)

AUGUST

August 14-16, 2019	Wed-Fri	WWDC/SWC Workshop/Summer Tour/ Meeting (TBD)
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OCTOBER

October 1-3, 2019	Tues-Thurs	Consultant Selection Interviews (Cheyenne)
October 4, 2019	Friday	WWDC Meeting, Selection Approval

NOVEMBER

November 6, 2019	Wednesday	WWDC/SWC Workshop (Casper)
November 7-8, 2019	Thurs-Fri	WWDC/SWC Joint Meeting (Preliminary Funding Recs prior to WyoLeg)
