

## Water News

# Wyoming Water Development Program Operating Criteria Revisions



Hawk Springs Reservoir

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The newsletter is available  
online at:

[http://  
wwdc.state.wy.us/  
newsletter/](http://wwdc.state.wy.us/newsletter/)

The Operating Criteria of the Water Development Program has been assessed, resulting in a number of proposed revisions. These revisions, after significant consideration, were formally adopted by the Commission at its October 19, 2017 special meeting held in Casper, Wyoming. The revised criteria can be found on the WWDC website at <http://wwdc.state.wy.us/opcrit/WWDPopCriteria.html>.

The following is a summary of some of the more significant changes and clarifications:

~ Level I and Level II Planning project applications are now due March 1 of each year. Level III Construction project applications are due September 1 of each year. A new funding approval and consultant selection schedule has also been established. See page 2 for more details.

~ Several Operating Criteria modifications pertain to the project application procedures and standards.

~ Clarification is provided for applicants that are not public entities at the time of application. A description of steps completed and the timeline for

becoming a public entity will be required, as well as a listing of landowners notified by the applicant of the intent to submit an application and form an entity.

~ Additional financial information describing the last ten years of maintenance and replacement costs borne by the sponsor, without assistance from the Wyoming Water Development Commission, will be required.

~ Regarding project applications of a domestic and municipal nature, regionalization will be a Program emphasis, when appropriate. To determine such appropriateness, application maps will be required to include the surrounding project areas which could be developed. Applicants will also be asked if regionalization has been considered, what geographic areas could be involved in any proposed regionalization, and the potential pros and cons.

~ Criteria for acceptance of an agricultural project into the Program has been relaxed from serving 2,000 or more water righted acres, to 1,000 or more water righted acres.

~ Application fees (\$1,000) are further defined to apply to project applications new to the Program or those advancing from Wyoming Water Development Commission studies completed longer than 5 years ago.

~ Language has been added to define the circumstances which may warrant use of the Sponsor's Contingency Funds. In addition to inflation and increases in material costs, change in materials or increases in quantities of materials necessary to complete a project may be considered by the Commission when a request for supplemental funding is received.

~ Several project requirements for Level III Construction, following funding approval by the Wyoming Legislature, have been amended. The most notable changes relate to loan security and construction delivery methods. See page 3 for more details.

~ An expanded list of project priorities has been established with descriptions for each of the Program accounts (I, II, and III), with the objective to maximize use of Program funding for on the ground project implementation.

**Level I and II Planning Projects Advertisement  
- Professional Service No. 0789 -  
NOW AVAILABLE ONLINE**

<http://wwdc.state.wy.us/consultants/ProfService-0789.html>

## Project Funding Approval & Consultant Selection Schedule Change

With the approval and adoption of new Water Development Program Operating Criteria by the WWDC at its October meeting which is effective immediately, **the next deadline for applications from sponsors seeking a Level I or Level II planning study is March 1, 2018.** These applications are for studies commencing in 2019 after legislative approval. Moving the deadline up 5+ months will facilitate conducting the consultant selection process prior to seeking funding approval for the projects. **The next deadline for applications from sponsors seeking a Level III construction project is September 1, 2018.**

Transition to this new schedule will be ongoing during 2018 with preliminary Level I and Level II project recommendations going before the WWDC at their May meeting. Solicitation for projects receiving preliminary approval will begin in June without Wyoming Water Development Office pre-established project budgets. Consultant short lists will then be developed based on the information submitted by consultants and RFPs will be distributed in July. Project proposals will then be due late August, with interviews to be conducted in Cheyenne early October. Following Commission approval of the consultants selected along with the

associated proposed project budgets (to include any scope alternates accepted), this will feed into a final WWDC project recommendation to go before the joint meeting of the Water Development Commission and Legislative Select Water Committee at its regularly scheduled November meeting in Casper. The remainder of the project funding approval schedule remains the same. Once the Omnibus Water Bill - Planning is approved by the legislature and signed into law by the Wyoming Governor, the Commission and Legislative Select Water Committee will meet separately to approve contracts. Project Notice to Proceed will be issued shortly thereafter.

It's important to note that new planning projects already in the system and proposed for this year's funding cycle (2018 Omnibus Water Bill – Planning) will be “grandfathered in” and will operate under the old funding approval and consultant selection process through June, 2018. Given that the new process starts in March, 2018, there will be two process (old and new) running concurrently during the months of March through June to effectively implement the transition. Additional information about the project funding approval and consultant selection schedule changes may be found on the WWDC website or by contacting the Wyoming Water Development Office directly at (307) 777-7626.

## Wyoming Ag Climate Network (WACNet)

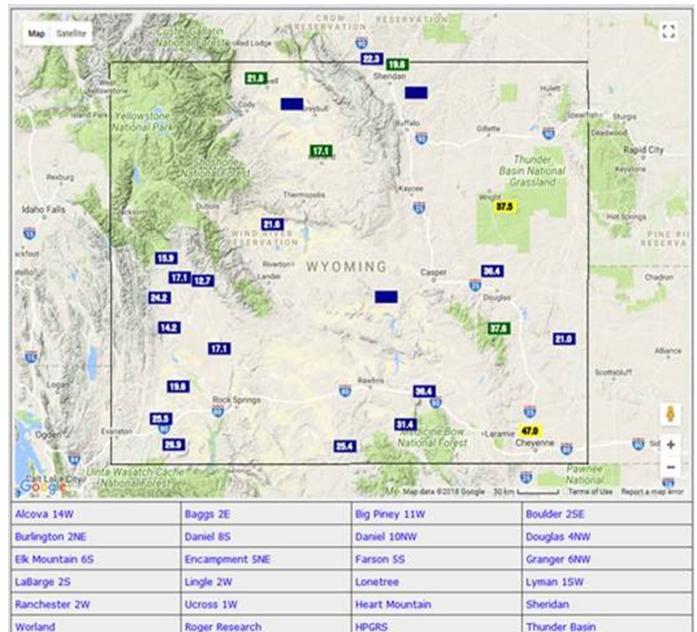
To better understand climate variation and the consumptive use of water in Wyoming, the Water Resources Data System (WRDS) and the Wyoming State Engineer's Office (SEO) have launched the Wyoming Agricultural Climate Network (WACNet) program (<http://www.wrds.uwyo.edu/WACNet/WACNet.html>). This program and related website provides real-time climate data from a network of twenty-five climate stations, maintained by three different state and federal entities (SEO, University of Wyoming College of Agriculture & Natural Resource, and USDA-ARS Rangeland Resources Research). Data collected includes air temperature, humidity, wind speed, wind direction, solar radiation and precipitation. Some stations have heated

precipitations gages to enable year-round measurement of precipitation and some stations also measure soil temperature. The information from these stations can be used by the SEO to assist in estimating consumptive use of water from irrigated lands, using the ASCE Standardized Reference Evapotranspiration Equation. With Governor Mead's Water Strategy calling for reliable, credible, and verifiable scientific information on weather and climate, this network of stations is of great importance in the development of high quality data for assessing water use on irrigated lands.

Data from WACNet are downloaded, QA/QC'd and maintained by WRDS and made publicly available. For

additional information about the stations or data included

in the WACNet, please feel free to contact WRDS ([antonius@uwyo.edu](mailto:antonius@uwyo.edu)).



# Small Water Program Criteria Changes

Following a public comment period this summer, the Wyoming Water Development Commission approved changes to the Small Water Program Criteria at its special meeting in October. Significant changes to the criteria were made, to include changes to Section C of the Small Water Program Criteria which defines the types of projects that are eligible for funding through the program. Small reservoirs have always been a big part of the program, and to that end, the definition was changed to remove the size limitation, increasing the number of small facilities that are eligible. Next, the language for wells that are drilled into unproven aquifers was updated to better explain how this feature of the program works. Also in this section, two new eligible project categories were added; supply and storage projects for rural community fire suppression, and recreational projects.

One of the most significant changes made to the criteria was in Section D1 which required that the planning for a small water project to come from a watershed study. This requirement was removed. The new language is as follows:

*Small water projects must adequately demonstrate a public benefit. Public benefits may be demonstrated for projects included in WWDC Watershed Studies. Eligible projects may be located on Federal, State, Public, or private lands.*

Other changes in this section include additions to the project priorities lists. Recreational and Rural Community Fire Suppres-

sion projects were added as eligible projects. Also, the project priorities were divided by funding account.

## Account I - New Development Project Priorities

Source Water Development

Storage

Pipelines, Conveyance Facilities, Solar Platforms, and Windmills

Irrigation

Environmental

Recreational

## Account II – Rehabilitation Project Priorities

Diversion Structures and Spring Developments

Storage

Pipelines, Conveyance Facilities, Solar Platforms, and Windmills

Irrigation other than the above

Environmental

Recreational

For further information on the Small Water Projects Program and program criteria, please see: [http://wwdc.state.wy.us/small\\_water\\_projects/small\\_water\\_project.html](http://wwdc.state.wy.us/small_water_projects/small_water_project.html).

## Wyoming Water Development Program Operating Criteria ~Changes to Level III Construction Delivery~

WWDC adopted Operating Criteria changes include revisions to Attachment 1 – “Levels of Project Development”, Section D. – “Level III Construction”. Section D describes requirements for Level III projects following project funding approval by the Wyoming Legislature.

Changes to Paragraph 1 include the deletion of language specifying a Mortgage Agreement for a WWDC Level III loan. The Mortgage Agreement language was replaced with language requiring a Security Agreement for a WWDC Level III loan. Under the Mortgage Agreement, the sponsor’s water rights were the security for the project loan. Under the new Security Agreement, the sponsor’s assessments are the security for the project loan.

The second major revision to Attachment 1 involved Paragraph 3. This paragraph was added to include language that allows the sponsor to select a construction

delivery method in accordance with state statutes. In addition to the traditional design-bid-build (DBB) construction delivery method historically used for WWDC Level III construction projects, the revised Operating Criteria now allow for design-build (DB) and construction manager-at-risk (CMAR) alternative construction delivery methods. The alternative construction delivery methods are covered under W.S. 16-6-701.

Sponsors pursuing matching funding from USDA Rural Development or the Wyoming State Revolving Fund programs and want to select DB or CMAR as the alternative design and construction delivery method are encouraged to contact the funding agency to discuss agency requirements and/or restrictions. Project sponsors are also encouraged to contact the Wyoming Department of Environmental Quality (WYDEQ) concerning alternative

design and construction delivery requirements and/or restrictions relative to securing a WYDEQ Permit to Construct. Prior to selecting a construction delivery method, the sponsor should be familiar with funding agency, WYDEQ and state statute requirements for the selected delivery method.

As with procuring engineering consultant services under a DBB Level III construction delivery approach, the sponsor will be responsible for developing Requests for Proposals (RFPs), reviewing the proposals, conducting consultant/contractor interviews and selection of the construction delivery team. Prior to the sponsor executing any type of a design/construction agreement, the agreement should be submitted to the Wyoming Water Development Commission for review and concurrence.

**WYOMING WATER  
DEVELOPMENT OFFICE**

Primary Business Address  
Address Line 2  
Address Line 3  
Address Line 4

PRE-SORTED  
STANDARD  
US POSTAGE PAID  
CHEYENNE WY  
PERMIT #7



**CALENDAR OF WATER EVENTS**

**Tues. February 6, 2018  
PRRIP Extension Public  
Meeting: 6-8pm, Brand  
Room - Goshen Co.  
Fairgrounds, Torrington,  
WY**

**Wed. February 7, 2018  
PRRIP Extension Public  
Meeting: 6-8pm, Platte  
Valley Community  
Center, Saratoga, WY**

**Thur. February 8, 2018  
PRRIP Extension Public  
Meeting: 6-8pm,  
Pronghorn Room/WGFD,  
Casper, WY**

- \* **February 6, 2018** - Wyoming Weather Modification 2018 TAT, WWDO Office, Cheyenne, WY
- \* **Feb 12– March 10, 2018** - Budget Session - Wyoming Legislature, Cheyenne, WY
- \* **February 13, March 13, April 10, May 8, 2018** - Water Forum– WWDO Office, Cheyenne, WY
- \* **Feb 20-23, 2018** - Board of Control meeting, WWDO Office, Cheyenne, WY
- \* **Feb 21-23, 2018** - WAM Winter Conference, Cheyenne, WY
- \* **March 1, 2018** - Level I & II Applications Due to WWDC
- \* **March 15-16, 2018** - WWDC Workshop & Meeting, WWDO Cheyenne, WY
- \* **March 27-29, 2018** - Missouri River Recovery Implementation Annual Forum, Omaha, NE
- \* **April 11, 2018** - North Platte Decree Committee Meeting, Scottsbluff, NE
- \* **April 12, 2018** - Yellowstone River Compact Commission TAC meeting, Billings, MT
- \* **April 17, 2018** - Bear River Commission, Salt Lake City, UT
- \* **April 19, 2018** - Niobrara River Compact meeting, held remotely
- \* **May 15, 2018** - Snake River Agency meeting, Jackson, WY
- \* **May 18, 2018** - WWDC Meeting - Consultant Selection Approval, WWDO, Cheyenne, WY
- \* **May 21-25, 2018** - Board of Control Meeting, WWDO Office, Cheyenne, WY
- \* **June 13-15, 2018** - WAM Summer Convention, Pinedale, WY
- \* **June 14-15, 2018** - WWDC/SWC meeting, WWDO Office, Cheyenne, WY
- \* **June 18-21, 2018** - Upper Colorado River Commission, New Mexico
- \* **August 15-17, 2018** - WWDC Workshop, Summer Tour & Meeting - TBA
- \* **August 20-24, 2018** - Board of Control meeting, WWDO Office, Cheyenne, WY
- \* **September 1, 2018** - Level III Project Applications due to WWDC