

**AMENDMENT TWO TO PROJECT AGREEMENT
GILLETTE REGIONAL EXTENSIONS PROJECT**

1. **Parties.** This Amendment Two to Project Agreement is made and entered into by and between the State of Wyoming, acting by and through the WYOMING WATER DEVELOPMENT COMMISSION [COMMISSION] and CITY OF GILLETTE, Campbell County, Wyoming, a duly organized municipality existing under the laws of that state [SPONSOR].

2. **Purpose of Amendment.** This Amendment shall constitute the second amendment to the Project Agreement between the COMMISSION and the SPONSOR which was duly executed on July 3, 2012 and which became effective July 3, 2012. The purpose of this Amendment is to effectuate 2014 Wyo. Sess. Laws, Ch. 100, increasing the project appropriation.

3. **Term of the Amendment.** This Amendment shall commence immediately upon the last required signature being affixed hereto, and shall remain in full force and effect through the term of this Project Agreement.

4. **Specific Changes.**

A. **PROJECT Grant.** The PROJECT funding as set forth in Section 4.A. of the Project Agreement is amended as follows:

4.A. The STATE OF WYOMING has appropriated from the Water Development Account created by Wyo. Stat. 41-2-124 (a)(i), to the COMMISSION, a sum not to exceed SIX MILLION FOUR HUNDRED THIRTY-TWO THOUSAND DOLLARS (\$6,432,000.00) which shall be a grant of not more than SIX MILLION FOUR HUNDRED THIRTY-TWO THOUSAND DOLLARS (\$6,432,000.00) or sixty-seven percent (67%) of actual developments costs, whichever is less, which shall be disbursed to the SPONSOR according to the terms of this Agreement. The SPONSOR is responsible for acquiring thirty-three percent (33%) of the PROJECT funds from other sources.

5. **Same Terms and Conditions.** With the exception of items explicitly delineated in this Amendment, all terms and conditions of the Project Agreement between the COMMISSION and the SPONSOR, including but not limited to sovereign immunity, and all prior amendments to the Project Agreement shall remain unchanged and in full force and effect, including Amendment One to the Project Agreement which was duly executed June 19, 2013 and which became effective June 19, 2013.

6. **Entirety of Agreement.** This Amendment Two consisting of two (2) pages, Amendment One, consisting of three (3) pages, and the original Project Agreement, consisting of eight (8) pages, represent the entire and integrated Contract between the parties and supersede all prior negotiations, representations, and agreements, whether written or oral.

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7. **Signatures.** IN WITNESS THEREOF, the parties to this Amendment through their duly authorized representatives have executed this Amendment, known as Amendment Two to the Project Agreement between the COMMISSION and the SPONSOR, on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Amendment as set forth herein.

WYOMING WATER DEVELOPMENT COMMISSION


K. Jeanette Sekan, Chairwoman

6/4/2014
Date


Sheridan Little, Secretary

6/4/14
Date

ATTEST:


Katie Salboff

CITY OF GILLETTE

John Opseth, Mayor

Date

ATTEST:

Karlene Abelseth, Clerk

ATTORNEY GENERAL'S OFFICE APPROVAL AS TO FORM

 #113322
S. Jane Caton, Senior Assistant Attorney General

5-19-14
Date