

**73-26-504 Agreement for delivery -- Period for repayment of construction and environmental mitigation costs.**

- (1) The division and the contracting entity shall, by contractual agreement, establish when and in what amount water developed by the project will be delivered to the contracting entity.
- (2) If a contract was made before completion of the project, the contracting entity shall repay the construction and environmental mitigation costs as follows:
  - (a) any developed water taken by the contracting entity during the first 10 years after the project is completed shall be repaid within 50 years from the date the developed water is delivered to the contracting entity; and
  - (b) any developed water taken by the contracting entity after the tenth anniversary date of the project's completion shall be repaid within 50 years from the date the project was completed.
- (3) If a contract was made after the project was completed, the contracting entity shall repay the construction and environmental mitigation costs within a period not to exceed 50 years from the date the contract was made.

Amended by Chapter 102, 1997 General Session