

**73-28-202 Construction contingent upon sale of water.**

- (1) Except as provided in Subsection (3), the board may not expend money for construction costs for any phase of the project until:
  - (a) the board has contracted with the districts for the sale of at least 70% of the water developed by that phase of the project; and
  - (b) all permits required by the environmental impact statement have been obtained.
- (2) Construction of the project and implementation of any environmental mitigation requirements may proceed concurrently.
- (3) The board may make expenditures for preconstruction costs if money is expressly appropriated or earmarked by statute for that purpose by the Legislature.

Amended by Chapter 342, 2011 General Session