

SENATE FILE NO. SF0074

Changes to water use-study.

Sponsored by: Senator(s) Vasey, Aullman, Decaria and  
Johnson and Representative(s) Berger,  
Gilmore, Iekel and Martin

A BILL

for

1 AN ACT relating to water; providing for water use studies;  
2 requiring reports; providing appropriations; and providing  
3 for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.**

8

9 (a) The University of Wyoming shall conduct an  
10 economic impact study of the cost and benefits associated  
11 with the opportunity for a private water right holder to  
12 temporarily or seasonally change the use of the water on a  
13 case by case basis from a consumptive to nonconsumptive  
14 use. The study shall include:

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16 (i) A historic summary of the economic factors,

1 pressures and profits associated with irrigated agriculture  
2 in Wyoming, under current water law;

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4 (ii) Any potential economic and socio-economic  
5 advantages and disadvantages from allowing the temporary or  
6 seasonal nonconsumptive use of private water rights;

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8 (iii) Any additional study items as identified  
9 by the select water committee.

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11 (b) The state engineer's office shall conduct a water  
12 use study which shall include:

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14 (i) The existing procedures used by the state  
15 engineer's office and the board of control to analyze the  
16 hydrologic and water right impacts of temporarily or  
17 seasonally changing the type of use, the place of use or  
18 the point of diversion of the water right;

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20 (ii) A discussion of the various sections in  
21 water law statutes that allow water right holders to manage  
22 water for aquatic systems and other nonconsumptive  
23 purposes;

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1           (iii) Options to provide greater opportunity for  
2 water right holders to manage water for nonconsumptive  
3 uses, including temporary changes in type of use, the place  
4 of use or temporary transfer of point of diversion that  
5 does not require permanent, year-round instream flow rights  
6 pursuant to W.S. 41-3-1001;

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8           (iv) The hydrologic and operational effects, if  
9 any, of amending W.S. 41-3-104 or 41-3-110 to allow  
10 agricultural users and other water right holders to request  
11 a temporary change in the point of diversion or place of  
12 use from one (1) location to another;

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14           (v) The effects of the temporary or seasonal use  
15 of stored water for nonconsumptive uses;

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17           (vi) Changes in Wyoming statutes to enable  
18 participation in federal programs such as the conservation  
19 reserve enhanced program;

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21           (vii) Any additional study items as identified  
22 by the select water committee.

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24           (c) The University of Wyoming and the state

1 engineer's office may contract with other agencies and any  
2 consultants as necessary to conduct the studies required by  
3 this act.

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5 (d) No later than September 1, 2006, the University  
6 of Wyoming and the state engineer's office shall report the  
7 results of their respective studies to the joint  
8 agriculture, public lands and water resources interim  
9 committee, the joint travel, recreation, wildlife and  
10 cultural resources interim committee and the select water  
11 committee.

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13 (e) The select water committee shall identify any  
14 changes in water statutes necessary to address the results  
15 from the studies presented by the University of Wyoming and  
16 the state engineer's office.

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18 (f) This act shall terminate December 1, 2006.

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20 **Section 2.**

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22 (a) There is appropriated thirty-five thousand  
23 dollars (\$35,000.00) from the general fund to the  
24 University of Wyoming to fund the study required pursuant

1 to subsection 1(a) of this act.

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3 (b) There is appropriated twenty thousand dollars  
4 (\$20,000.00) from the general fund to the state engineer's  
5 office to fund the study required pursuant to subsection  
6 1(b) of this act.

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8 **Section 3.** This act is effective immediately upon  
9 completion of all acts necessary for a bill to become law  
10 as provided by Article 4, Section 8 of the Wyoming  
11 Constitution.

12

13

(END)