

HOUSE BILL NO. HB0057

Ownership of pore space-dominance of mineral estate.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to property; declaring the mineral estate
2 dominant over pore space; and providing for an effective
3 date.

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

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7 **Section 1.** W.S. 34-1-152(e) is amended to read:

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9 **34-1-152. Ownership of pore space underlying**
10 **surfaces.**

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12 (e) Nothing in this section shall be construed to
13 change or alter the common law as of July 1, 2008, as it
14 relates to the rights belonging to, or the dominance of,
15 the mineral estate. For the purpose of determining the
16 priority of subsurface uses between a severed mineral
17 estate and pore space as defined in subsection (d) of this

1 section, the severed mineral estate is dominant regardless
2 of whether ownership of the pore space is vested in the
3 several owners of the surface or is owned separately from
4 the surface.

5

6 **Section 2.** This act is effective July 1, 2009.

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8

(END)