

## HOUSE BILL NO. HB0075

Subdivisions-water supply study.

Sponsored by: Representative(s) Brown

A BILL

for

1 AN ACT relating to subdivisions; providing for modified  
2 requirements for groundwater studies for subdivisions; and  
3 providing for an effective date.

4

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

6

7 **Section 1.** W.S. 18-5-316(a)(iii) and (b)(vi) is  
8 amended to read:

9

10 **18-5-316. Requirements for large acreage subdivision**  
11 **permits.**

12

13 (a) Except as otherwise provided, a county may, by  
14 resolution, elect to apply the provisions of this article  
15 on a uniform basis to the sale or disposition of any land  
16 where the subdivision creates parcels that are thirty-five  
17 (35) acres or larger and up to one hundred forty (140)

1 acres. Except as provided in this subsection, each lawfully  
2 recorded parcel of land on July 1, 2008 shall be exempted  
3 from all provisions of this section other than compliance  
4 with paragraphs (i) through (iii) of this subsection and  
5 W.S. 18-5-317 and shall be allowed to be divided into not  
6 more than ten (10) parcels of one hundred forty (140) acres  
7 or less in size, provided that each new or remaining parcel  
8 is no less than thirty-five (35) acres. Parcels created  
9 pursuant to this exemption may be created at any time and  
10 may be created over a period of years through separate  
11 transactions. In no case, however, shall this exemption be  
12 used to create more than ten (10) parcels of land from each  
13 original parcel and each parcel created after July 1, 2008  
14 shall be subject to this section and W.S. 18-5-317 as  
15 otherwise provided in this section. Boundary adjustments  
16 between or among parcels shall not be considered as a  
17 division of property subject to the limitations in this  
18 section. If a county elects to apply this article to sales  
19 or dispositions where the subdivision creates parcels that  
20 are thirty-five (35) acres or larger and up to one hundred  
21 forty (140) acres, unless the property is exempted under  
22 this subsection, the subdivider shall obtain a subdivision  
23 permit pursuant to this section. The provisions of W.S.  
24 18-5-306 and 18-5-315 shall not be applicable to a

1 subdivision of land under this section but nothing in this  
2 sentence shall prohibit application of lawfully adopted  
3 zoning provisions. Before granting the exemption provided  
4 in this subsection the board may require the person seeking  
5 the exemption to submit any or all of the following:

6  
7 (iii) (A) If a centralized water supply system is  
8 proposed on the parcel or parcels, a study evaluating the  
9 water supply system proposed and the adequacy and safety of  
10 the system. The study shall include information relative  
11 to the potential availability and quality of groundwater  
12 proposed within the parcel or parcels which may consist of  
13 new data, existing data on other working wells in the area,  
14 or other data, including drilling logs, from a test well  
15 drilled on the parcel or parcels indicating soil types,  
16 depth, quantity and quality of water produced in the test  
17 well;↵

18  
19 (B) Where individual on-lot wells are  
20 proposed;↵

21  
22 (I) The study under subparagraph (A)  
23 of this paragraph shall not be required and the words "NO  
24 PROPOSED CENTRAL WATER SUPPLY SYSTEM," in bold capital

1 letters shall appear on all offers, contracts, agreements  
2 and plats relating to the parcel or parcels; ~~and~~ and

3

4 (II) The board may require a study  
5 relative to the potential availability and quality of  
6 groundwater proposed within the subdivision which may  
7 consist of new data, existing data on other working wells  
8 in the area, or other data, including drilling logs from a  
9 test well drilled within the proposed parcel or parcels  
10 indicating soil types, depth, quantity and quality of water  
11 produced in the test well.

12

13 (b) The board may require any or all of the following  
14 information to be submitted with an application for a  
15 subdivision permit pursuant to this section:

16

17 (vi) (A) A study evaluating the water supply  
18 system proposed for the subdivision and the adequacy and  
19 safety of the system. The study shall include information  
20 relative to the potential availability and quality of  
21 groundwater proposed within the subdivision which may  
22 consist of new data, existing data on other working wells  
23 in the area, or other data, including drilling logs, from a  
24 test well drilled within the proposed subdivision

1 indicating soil types, depth, quantity and quality of water  
2 produced in the test well;

3

4 (B) Where individual on-lot wells are  
5 proposed;

6

7 (I) The words "NO PROPOSED CENTRAL  
8 WATER SUPPLY SYSTEM," in bold capital letters shall appear  
9 on all offers, contracts, agreements and plats relating to  
10 the subdivision; and

11

12 (II) The board may require a study  
13 relative to the potential availability and quality of  
14 groundwater proposed within the subdivision which may  
15 consist of new data, existing data on other working wells  
16 in the area, or other data, including drilling logs from a  
17 test well drilled within the proposed parcel or parcels  
18 indicating soil types, depth, quantity and quality of water  
19 produced in the test well.

20

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

22

23

(END)