

ORIGINAL HOUSE  
BILL NO. 0135

ENROLLED ACT NO. 50, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

AN ACT relating to state lands; providing for registration of improvements as specified; providing for compensation for registered improvements; providing for rules and regulations; and providing for an effective date.

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

**Section 1.** W.S. 36-3-102(c)(iii) and 36-5-110 are amended to read:

**36-3-102. Duties generally.**

(c) The board shall have authority to override any decision made by the director. Upon such terms and conditions as shall be established by the board, in addition to other powers enumerated in this section, the director shall have authority to:

(iii) Approve applications to construct improvements within criteria established by the board pursuant to W.S. ~~36-5-110~~ 36-5-110(a) and 36-5-111;

**36-5-110. Right to make and remove improvements.**

(a) A lessee of state lands shall have the right to construct or make improvements upon state lands in the amount of two thousand dollars (\$2,000.00) per section, without first obtaining permission. If the lessee or any other person desires to construct or make improvements upon state lands in excess of the value of two thousand dollars (\$2,000.00) per section, he shall file an application for permission to construct or make the improvements with the director, which shall be subject to allowance or rejection as the best interests of the state require. The director shall have authority to grant permission to construct

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improvements in excess of two thousand dollars (\$2,000.00) for fencing, water development, livestock handling facilities and range enhancements. Any other improvement in excess of two thousand dollars (\$2,000.00) shall be applied for under a special use permit. Unless permission has been obtained in the manner provided by this section or the improvement has been registered as provided in subsection (b) of this section, the owner of the improvements in excess of the value of two thousand dollars (\$2,000.00) per section shall not be entitled to compensation therefor as provided by W.S. 36-5-111 and 36-9-105, and upon the expiration of the lease the improvements shall forfeit to and become the property of the state; except, that within one hundred twenty (120) days from the date of the expiration of the lease, the owner may remove such improvements in a manner which minimizes injury to the land.

(b) Notwithstanding subsection (a) of this section, a lessee of state lands may register all improvements made upon state lands which were made prior to June 30, 2010, with or without prior approval by the director. Improvements registered under this subsection may include improvements for which approval was not applied for pursuant to subsection (a) of this section. Improvements for which permission was denied under subsection (a) of this section shall not be eligible for registration under this subsection. Registrations under the provisions of this subsection shall be made not later than June 30, 2014. Improvements registered under this subsection shall be entitled to compensation therefor as provided by W.S. 36-5-111 and 36-9-105.

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**Section 2.** This act is effective July 1, 2011.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk