

HOUSE BILL NO. HB0170

Conservation easements-notification.

Sponsored by: Representative(s) Miller, Childers, Gay,
Lockhart, Madden and Peasley and Senator(s)
Bebout

A BILL

for

1 AN ACT relating to conservation easements; requiring
2 notification to mineral estate owners of potential
3 conservation easements; providing for nullification of
4 conservation easements for failure to notify; and providing
5 for an effective date.

6

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

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9 **Section 1.** W.S. 34-1-202(d) is amended to read:

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11 **34-1-202. Creation; conveyance; acceptance and**
12 **duration.**

13

14 (d) An interest in real property and any interest in
15 minerals including any leasehold interests are not impaired
16 in any way by a conservation easement unless the owners of

1 those interests consent to the conservation easement. At
2 least sixty (60) days prior to entry into a conservation
3 easement, the holder shall notify all owners of the mineral
4 interests in the land, including lease holders and claim
5 holders, of the intention to place a conservation easement
6 on the land. Notification under this subsection does not
7 in any way abrogate the consent requirements or rights of
8 mineral owners under this subsection or subsection (e) of
9 this section. Any owner of a mineral interest at the time
10 the conservation easement is created who has not received
11 notification pursuant to this subsection may file a motion
12 with the district court to declare the conservation
13 easement null and void.

14

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

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(END)