

SENATE FILE NO. SF0074

Changes to water use-study.

Sponsored by: Senator(s) Vasey, Aullman, Decaria and
Johnson and Representative(s) Berger,
Gilmore 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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1 (i) A historic summary of the economic factors,
2 pressures and profits associated with irrigated agriculture
3 in Wyoming, under current water law;

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

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

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

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

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

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

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

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

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18 (vi) Any additional study items as identified by
19 the select water committee.

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21 (c) The University of Wyoming and the state
22 engineer's office may contract with other agencies and any
23 consultants as necessary to conduct the studies required by
24 this act.

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

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

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

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17 **Section 2.**

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19 (a) There is appropriated thirty-five thousand
20 dollars (\$35,000.00) from the general fund to the
21 University of Wyoming to fund the study required pursuant
22 to subsection 1(a) of this act.

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1 (b) There is appropriated twenty thousand dollars
2 (\$20,000.00) from the general fund to the state engineer's
3 office to fund the study required pursuant to subsection
4 1(b) of this act.

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

10

11 (END)