

HOUSE BILL NO. HB0234

Energy development damages.

Sponsored by: Representative(s) Wallis

A BILL

for

1 AN ACT relating to mines and minerals, specifying damages
2 recoverable for injury to a spring, well or other water
3 source caused by oil and gas operations; and providing for
4 an effective date.

5

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

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8 **Section 1.** W.S. 30-5-401(a)(ii) and 30-5-405(a)(i)
9 and by creating a new paragraph (iv) are amended to read:

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11 **30-5-401. Definitions.**

12

13 (a) As used in this act:

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15 (ii) "Compensate" and "compensation" mean
16 monetary payment or other consideration that may include,

1 but is not limited to, the furnishing of materials, labor,
2 services or equipment;

3
4 **30-5-405. Surface damage and disruption payments;**
5 **penalty for late payment.**

6
7 (a) The oil and gas operator shall pay the surface
8 owner as follows:

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10 (i) A sum of money or other compensation equal
11 to the amount of damages sustained by the surface owner for
12 loss of production and income, loss of land value, ~~and~~ loss
13 of value of improvements and loss of production and value
14 of any spring, well or other water source used by the
15 surface owner for human consumption, caused by oil and gas
16 operations;

17
18 (iv) Payments for the repair of a damaged or
19 destroyed spring, well or other water source are intended
20 to compensate the surface owner for damage or disruption of
21 the water source, and shall include the cost of replacing
22 the spring, well or other water source, fitting it with a
23 water treatment system sufficient to provide high quality

1 water fit for human consumption and providing for the long-
2 term maintenance of the system.

3

4 **Section 2.** This act shall be effective July 1, 2007.

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6

(END)