

SENATE FILE NO. SF0021

Subdivisions located within irrigation districts.

Sponsored by: Joint Agriculture, State and Public Lands
and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to subdivisions; providing for subdivision
2 of lands within an irrigation district; providing for
3 indemnification by the subdivider; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 18-5-306(a)(xi)(D) and by creating
9 new subparagraphs (F) and (G) is amended to read:

10

11 **18-5-306. Minimum requirements for subdivision**
12 **permits.**

13

14 (a) The board shall require the following information
15 to be submitted with each application for a subdivision
16 permit, provided the board may by rule exempt from any of

1 the following requirements of this subsection or subsection
2 (c) of this section the subdivision of one (1) or more
3 units of land into not more than a total of five (5) units
4 of land:

5
6 (xi) With respect to any water rights
7 appurtenant to lands to be subdivided in accordance with
8 this chapter and prior to final approval of the subdivision
9 the subdivider shall provide:

10
11 (D) If the subdivision is located ~~within an~~
12 ~~irrigation district or~~ within lands, served by a ditch,
13 irrigation company or association or by an unorganized
14 ditch, evidence that the plan has been submitted to the
15 ~~district board~~ company, or association, or the remaining
16 appropriators in the case of an unorganized ditch for their
17 review and recommendations; ~~and~~

18
19 (F) If the subdivision is located within an
20 irrigation district that is subject to the provisions of
21 title 41, chapter 7 of the Wyoming statutes, the
22 application shall include a recommendation from the
23 irrigation district on a form approved by the irrigation

1 district regarding the disposition of the irrigation
2 district's water rights and easements;

3

4 (G) Indemnification to the irrigation
5 district, company, association or remaining appropriators
6 against any such liability in the event the subdivider
7 creates additional liability due primarily to the creation
8 of the subdivision.

9

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

11

12 (END)