

HOUSE BILL NO. HB0038

Use of water outside the state.

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

A BILL

for

1 AN ACT relating to water; providing that the state engineer
2 may aggregate applications for the use of water outside the
3 state for review as specified; providing rulemaking
4 authority; and providing for an effective date.

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

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8 **Section 1.** W.S. 41-3-115(b) is amended to read:

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10 **41-3-115. Applications for use of water outside the**
11 **state.**

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13 (b) None of the water of the state either surface or
14 underground may be appropriated, stored or diverted for use
15 outside of the state or for use as a medium of
16 transportation of mineral, chemical or other products to

1 another state without the specific prior approval of the
2 legislature. Provided, however, neither approval by the
3 legislature nor compliance with the application procedures
4 under subsections (m) through (r) of this section shall be
5 required for appropriations that will transfer or use
6 outside the state less than one thousand (1,000) acre-feet
7 of water per year. The state engineer may treat any
8 application for the appropriation of underground water as
9 being for one thousand (1,000) acre-feet of water or more
10 if the state engineer determines that the appropriation
11 will result in the transfer or use outside the state of one
12 thousand (1,000) acre-feet of water or more per year either
13 alone or when aggregated with any other application, permit
14 or certificate to appropriate water from the same source of
15 supply, for the same or similar use and held by the
16 applicant or any person or entity associated with the
17 applicant. The state engineer is authorized to adopt rules
18 and regulations necessary to carry out the provisions of
19 this subsection.
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1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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(END)