

SENATE FILE NO. SF0073

Permits for small underground water wells.

Sponsored by: Senator(s) Meier, Anselmi-Dalton, Driskill
and Moniz and Representative(s) Hunt and
Northrup

A BILL

for

1 AN ACT relating to water; providing that applications for
2 wells that produce twenty-five (25) gallons per minute or
3 less shall not require a detailed description of proposed
4 use; providing that those wells shall not require metering
5 as specified; and providing for an effective date.

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

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9 **Section 1.** W.S. 41-3-930(a) and 41-3-933 are amended
10 to read:

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12 **41-3-930. Application; who required to file; filing;**
13 **contents; use of water from existing well; statement of**
14 **claim.**

15

1 (a) Any person who intends to acquire the right to
2 beneficial use of any underground water in the state of
3 Wyoming, shall, before commencing construction of any well
4 or other means of obtaining underground water or performing
5 any work in connection with construction or proposed
6 appropriation of underground water or any manner utilizing
7 the water for beneficial purposes, file with the state
8 engineer an application for a permit to make the
9 appropriation and shall not proceed with any construction
10 or work until a permit is granted by the state engineer,
11 provided, that whenever a bore hole constructed for mineral
12 exploration, oil and gas exploration, stratigraphic
13 information or any other purpose not related to groundwater
14 development shall be found to be suitable for the
15 withdrawal of underground water, application shall be filed
16 with and approved by the state engineer before water from
17 the bore hole is beneficially utilized. The state engineer
18 may authorize the construction and use of multiple wells
19 for industrial purposes for in situ mining, dewatering or
20 use for pollution control or remediation with a single
21 permit if the groundwater to be developed by the proposed
22 appropriation is to be used for a specific purpose within
23 the department of environmental quality permitted boundary

1 and served from a single source of supply. The application
2 shall contain the name and post-office address of applicant
3 or applicants, a detailed description of the proposed use
4 of any well that is constructed to produce more than
5 twenty-five (25) gallons per minute, the location by legal
6 subdivision of the proposed well or other means of
7 obtaining underground water, the estimated depth of the
8 proposed well, the quantity of water proposed to be
9 withdrawn and beneficially utilized in gallons per minute
10 and acre-feet per calendar year, the location by legal
11 subdivision of the area or point of use shall be provided,
12 and such other information as the state engineer may
13 require.

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15 **41-3-933. Express conditions limiting rights of**
16 **appropriator; additional conditions.**

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18 (a) It is an express condition of each underground
19 water permit that the right of the appropriator does not
20 include the right to have the water level or artesian
21 pressure at the appropriator's point of diversion
22 maintained at any level or pressure higher than that
23 required for maximum beneficial use of the water in the

1 source of supply. Except as provided in subsection (b) of
2 this section, the state engineer may issue any permits
3 subject to such conditions as he may find to be in the
4 public interest.

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6 (b) If a well produces twenty-five (25) gallons per
7 minute or less and is used for domestic, stock or
8 miscellaneous use, including use as a shelterbelt, the
9 state engineer shall not require the well to be metered as
10 a condition of the permit. Any permit issued prior to the
11 effective date of this subsection shall be deemed not to
12 require metering if the well meets the requirements of this
13 subsection. This subsection shall not prohibit the state
14 engineer from requiring metering to determine if the well
15 produces more than twenty-five (25) gallons per minute,
16 provided that the meter shall not be required for more than
17 one (1) year if the well is found to produce twenty-five
18 (25) gallons per minute or less. Nothing in this subsection
19 shall be deemed to apply if the application of this
20 subsection would violate any compact entered into prior to
21 the effective date of this subsection.

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