

SENATE FILE NO. SF0021

Water rights-change of use.

Sponsored by: Senator(s) Case

A BILL

for

1 AN ACT relating to water; authorizing the temporary leasing  
2 or gifting of water rights for in-stream flow as specified;  
3 specifying procedures; and providing for an effective date.  
4

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

7 **Section 1.** W.S. 41-3-106 by creating a new subsection  
8 (h) is amended to read:  
9

10 **41-3-106. Procedure to exchange water; delivery of**  
11 **water under exchanges; approval of state engineer;**  
12 **enforcement of exchanges.**  
13

14 (h) Temporary leasing or gifting of water for the  
15 purposes of enhancing in-stream flows as provided by W.S.  
16 41-3-1001 et seq. shall be permitted upon approval of the  
17 state engineer after review and recommendation by the

1 district engineer. If approved, the leasing or gifting  
2 shall not constitute an abandonment of rights pursuant to  
3 W.S. 41-3-401. The state engineer shall permit temporary  
4 leasing or gifting unless the state engineer finds that the  
5 action would adversely affect other appropriators, or if  
6 the proposed action would, in the opinion of the state  
7 engineer, be too difficult to administer or would be  
8 adverse to the public interest.

9

10 **Section 2.** This act is effective July 1, 2002.

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12

(END)