



SF0074

Permit not required for using a de minimis amount of water.

Sponsored By: Select Water Committee

AN ACT relating to water; eliminating permitting requirements for the beneficial use of a de minimis amount of water; and providing for an effective date.

2/4/2020 Bill Number Assigned
2/10/2020 S Received for Introduction
2/11/2020 S Introduced and Referred to S05 - Agriculture 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Excused: Senator Agar

Ayes 29 Nays 0 Excused 1 Absent 0 Conflicts 0

2/19/2020 S05 - Agriculture:Recommend Do Pass 4-0-1-0-0

ROLL CALL

Ayes: Senator(s) Boner, Kost, Moniz, Steinmetz

Excused: Senator Bouchard

Ayes 4 Nays 0 Excused 1 Absent 0 Conflicts 0

2/19/2020 S Placed on General File

SF0074SW001/ADOPTED

Page 1-lines 7 through 16 Delete entirely.

Page 2 Delete entirely and insert:

"Section 1. W.S. 41-3-301(a) is amended to read:

41-3-301. Application for reservoir construction permit; contents; procedure; exception.

(a) Any person, corporation, association, or organization, of any nature whatsoever, hereafter intending to store or impound, for beneficial uses, any of the unappropriated waters of the state of Wyoming, shall, before commencing construction of any works for such purpose, or performing any work in connection with said proposed construction, make an application to the state engineer, for a permit to construct a reservoir. The application must set forth the name and post office address of the applicant; the source of the water supply; the nature of the proposed use; the location and description of the proposed work; the time within which it is proposed to begin construction, and the time required for the completion of construction. Maps and plans shall conform with the provisions of W.S. 41-4-510. In case of reservoirs where the storage is for stock purposes only and the capacity does not exceed twenty (20) acre-feet and the height of dam does not exceed twenty (20) feet, the state engineer may issue a permit without the filing of a map; however the state engineer may require certain information be submitted on special forms to be furnished or designated by him. No application under this subsection shall be required for reservoirs with a total capacity of not more than one-half (1/2) acre-foot of water and

where the water is stored or impounded through the construction of not more than ten (10) temporary structures that are in close proximity on any perennial stream segment. Any violation of subsection (a) of this section shall be punishable pursuant to W.S. 41-3-616 with the exception that the owner of any unpermitted reservoir with a capacity of twenty (20) acre-feet or less and a dam height of twenty (20) feet or less shall have forty-five (45) days after receipt of the written notice of violation pursuant to W.S. 41-3-616(a), to submit an application for a permit. The application shall meet the requirements of the state engineer's office. Each day of the forty-five (45) days shall not be counted as a separate violation if the application for a reservoir permit is received during this forty-five (45) day period.". HICKS

2/20/2020 S COW:Passed
2/21/2020 S 2nd Reading:Passed
2/24/2020 S 3rd Reading:Passed 23-7-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Bebout, Biteman, Boner, Bouchard, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Moniz, Nethercott, Pappas, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator(s) Baldwin, Case, Coe, Dockstader, Driskill, Landen, Perkins

Ayes 23 **Nays** 7 **Excused** 0 **Absent** 0 **Conflicts** 0

2/25/2020 H Received for Introduction
2/27/2020 H Introduced and Referred to H05 - Agriculture
3/9/2020 H:Died in Committee Returned Bill Pursuant to HR 5-4