

[BUDGET AFFECTED]

Budget(s) : **Addition to 300 Sections**

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Page 145-after line 5 Insert the following new section and
renumber as necessary:

"[PRODUCED WATER REGULATORY OVERSIGHT]

Section 333. W.S. 9-1-902 by creating a new subsection (c)
and 30-5-104(a) (vi) (A) are amended to read:

**9-1-902. Duties and powers; representation of state at
proceedings relating to water or water use.**

(c) Notwithstanding any other provision of law, the state
engineer shall regulate and permit produced water from oil and
gas and mineral exploration activities. The state engineer
shall by rule and regulation create a process for permitting
under this subsection. Decisions by the state engineer under
this subsection shall be subject to the Wyoming Administrative
Procedure Act, W.S. 16-3-101 through 16-3-115. This section is
repealed June 30, 2020.

**30-5-104. Oil and gas conservation commission; powers and
duties; investigations; rules and regulations.**

(d) The commission has authority:

(vi) To regulate, excluding discharges permitted
under the national pollutant discharge elimination system, the:

(A) Except as provided in W.S. 9-1-902(c),
location, construction, operation and reclamation of all
noncommercial reserve pits and produced water retention and
emergency overflow pits used solely for the storage, treatment
and disposal of drilling fluids, produced waters, emergency
overflow wastes or other oil field wastes associated with the
maintenance and operation of oil and gas exploration and
production wells on a lease, unit or communitized area in such a
manner as to prevent the contamination of the waters of the
state;".

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2 To the extent required by this amendment: adjust totals; and
3 renumber as necessary. BYRD