

HOUSE BILL NO. HB0264

Instream flow rights-acquisition-3.

Sponsored by: Representative(s) Zwonitzer and Senator(s)
Case and Hicks

A BILL

for

1 AN ACT relating to water; providing for the temporary
2 acquisition of existing water rights for instream flow
3 purposes by any person as specified; providing
4 requirements; 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. 41-3-1002(e) and 41-3-1007 by
9 creating a new subsection (b) and by amending and
10 renumbering (b) as (c) are amended to read:

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12 **41-3-1002. Instream flows to be by stream segment;**
13 **waters for instream flows may be sold, transferred or**
14 **otherwise conveyed under certain restrictions; ownership**
15 **restricted.**

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2 (e) No person other than the state of Wyoming shall
3 own any permanent instream flow water right.

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5 **41-3-1007. Acquisition of existing rights for**
6 **instream flow purposes.**

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8 (b) Any person may acquire the use of an existing
9 water right on a temporary basis for instream flow purposes
10 in accordance with W.S. 41-3-110. Any right acquired shall
11 be in the name of the applicant and shall be administered
12 by the state engineer and the board of control, who shall
13 ensure that the use of water for instream flows shall not
14 interfere with existing water rights or impair the value of
15 those rights or related property.

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17 ~~(b)~~(c) Any ~~such~~permanent water rights acquired and
18 changed pursuant to subsection (a) of this section shall be
19 limited to a specified stream segment by the board of
20 control with priority date intact. Any temporary water
21 rights acquired pursuant to subsection (b) of this section
22 shall be limited to a specified stream segment by the state

1 engineer with the priority date of the existing water right
2 remaining intact.

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4 **Section 2.** This act is effective July 1, 2017.

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(END)