

## HOUSE BILL NO. HB0045

Changes to water right - notice requirements for hearing.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water; modifying notice requirements for  
 2 a hearing on a petition to change a point of diversion or  
 3 means of conveyance; and providing for an effective date.

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

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7 **Section 1.** W.S. 41-3-114(f) is amended to read:

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9 **41-3-114. Petition to change point of diversion or**  
 10 **means of conveyance.**

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12 (f) The state engineer or the superintendent shall  
 13 set a hearing on the petition and ~~give~~require the  
 14 petitioner to provide thirty (30) days notice by registered  
 15 mail of the time and place of the hearing to ~~the petitioner~~  
 16 ~~and~~ any owners of appropriations which divert between the

1 old and new points of diversion and any owners or users of  
2 ditches or facilities to be affected by the proposed  
3 change. If the state engineer or the state board of control  
4 determines that at least twenty (20) owners of  
5 appropriations or owners or users of ditches or facilities  
6 require notice of the hearing, the state engineer or the  
7 state board of control, in lieu of requiring notice by  
8 registered mail, may allow the petitioner to provide notice  
9 of the hearing by regular mail and publication. Notice by  
10 publication under this subsection shall be accomplished by  
11 publishing notice for two (2) consecutive weeks in a  
12 newspaper of general circulation in the county where the  
13 new point of diversion is located. The last date of  
14 publication shall occur not less than ten (10) days and not  
15 more than thirty (30) days prior to the hearing. The  
16 petitioner shall provide the superintendent with a record  
17 of the proceedings which shall be transmitted to the state  
18 board of control with the superintendent's report. The  
19 state board of control or the state engineer may make such  
20 other regulations as may be found necessary. No petition  
21 shall be granted if the right of other appropriators will  
22 be injuriously affected. The attorney general shall

1 represent the state board of control or the state engineer  
2 in any appeal.

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4       **Section 2.** This act is effective July 1, 2021.

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(END)