

SENATE FILE NO. SF0170

Specifying additional beneficial uses of water.

Sponsored by: Senator(s) Steinmetz and Hicks

A BILL

for

1 AN ACT relating to water; specifying the storage of water
2 for drought contingency and compact compliance as an
3 additional beneficial use of water; providing conforming
4 amendments; 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. 41-3-101 is amended to read:

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10 **41-3-101. Nature of water rights and beneficial use.**

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12 (a) A water right is a right to use the water of the
13 state, when such use has been acquired by the beneficial
14 application of water under the laws of the state relating
15 thereto, and in conformity with the rules and regulations
16 dependent thereon. Beneficial use shall be the basis, the

1 measure and limit of the right to use water at all times,
2 not exceeding the statutory limit except as provided by
3 W.S. 41-4-317. ~~In addition to any beneficial use specified~~
4 ~~by law or rule and regulation promulgated pursuant thereto,~~
5 ~~the use of water for the purpose of extracting heat~~
6 ~~therefrom is considered a beneficial use subject to prior~~
7 ~~rights.~~ Water being always the property of the state,
8 rights to its use shall attach to the land for irrigation,
9 or to such other purposes or object for which acquired in
10 accordance with the beneficial use made for which the right
11 receives public recognition, under the law and the
12 administration provided thereby. Water rights for the
13 direct use of the natural unstored flow of any stream
14 cannot be detached from the lands, place or purpose for
15 which they are acquired, except as provided in W.S.
16 41-3-102 and 41-3-103, pertaining to a change to preferred
17 use, and except as provided in W.S. 41-4-514.

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19 (b) In addition to any beneficial use specified by
20 law or rule and regulation promulgated pursuant thereto,
21 the following uses of water are considered a beneficial use
22 subject to prior rights water used for the purpose of:

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