

HOUSE BILL NO. HB0090

State engineer-consumptive water use study.

Sponsored by: Representative(s) Strock, Allemand, Banks, Campbell, K, Johnson, Schmid and Wharff and Senator(s) Boner, French and Steinmetz

A BILL

for

1 AN ACT relating to water; requiring the state engineer to
2 conduct a study on water use as specified; requiring a
3 report; providing an appropriation; and providing for an
4 effective date.

5

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

7

8 **Section 1.**

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10 (a) As used in this section:

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12 (i) "Consumptive water use" includes
13 electrolysis, plasma dissociation, thermochemical
14 splitting, the chemical dissociation of water into its
15 elemental components or the use of water as a feedstock in

1 the production of hydrogen fuel or other chemical
2 compounds;

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4 (ii) "Hydrological cycle" means the natural
5 process by which water circulates between the earth's
6 surface, atmosphere and subsurface, including evaporation,
7 condensation, precipitation, runoff, infiltration and
8 groundwater recharge.

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10 (b) The state engineer shall conduct a study of the
11 potential impacts on the state of Wyoming and water users
12 in Wyoming from current and future consumptive water uses
13 that remove water from the hydrological cycle as provided
14 in this section as well as the potential impacts from large
15 scale industrial water use.

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17 (c) The study required by this section shall focus
18 on:

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20 (i) Large scale industrial water use by data
21 centers or other large scale industrial water uses
22 including carbon capture technologies. This paragraph shall
23 not include uses that result in normal evaporation losses

1 incidental to irrigation, reservoir operation, domestic use
2 or industrial cooling other than large scale industrial
3 cooling that may prevent the return of water to the
4 hydrological cycle;

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6 (ii) The use of water for hydrogen production;

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8 (iii) Other consumptive water uses that prevent
9 the return of water to the hydrological cycle.

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11 (d) The study required by this section shall include
12 at a minimum:

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14 (i) An analysis of any current large scale
15 industrial or consumptive water use occurring in Wyoming
16 and the impact of that use on other water users;

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18 (ii) Recommendations on how to limit the impact
19 of current and future large scale industrial and
20 consumptive water use on existing and future water users in
21 Wyoming for all beneficial uses, including but not limited
22 to municipal, domestic, agricultural, industrial, instream
23 flows, hydroelectric power and recreational purposes.

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2 (e) The results of the study required under this
3 section along with any recommendations for legislation
4 shall be reported to the joint agriculture, state and
5 public lands and water resources interim committee not
6 later than November 1, 2026.

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8 (f) There is appropriated five hundred thousand
9 dollars (\$500,000.00) from the general fund to the state
10 engineer's office for the purpose of conducting the study
11 required under this section. This appropriation shall be
12 for the period beginning with the effective date of this
13 act and ending June 30, 2027. This appropriation shall not
14 be transferred or expended for any other purpose and any
15 unexpended, unobligated funds remaining from this
16 appropriation shall revert as provided by law on June 30,
17 2027. It is the intent of the legislature that this
18 appropriation not be included in the state engineer's
19 standard budget for the immediately succeeding fiscal
20 biennium.

21

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6 (END)