

HOUSE BILL NO. HB0004

Water permits-livestock on federal land.

Sponsored by: Joint Agriculture, State and Public Lands &
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to water; providing requirements for a
2 permit secured for purposes of watering livestock on
3 federal land; providing definitions; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 41-3-116 is created to read:

9

10 **41-3-116. Permit for watering livestock on federal**
11 **land.**

12

13 (a) As used in this section:

14

1 (i) "Allotment" means a designated area of
2 federal land available for livestock grazing;

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4 (ii) "Animal unit month" or "AUM" means the
5 amount of forage needed to sustain one (1) cow and her
6 calf, one (1) horse or five (5) sheep or goats for one (1)
7 month;

8

9 (iii) "Federal agency" means the United States,
10 the President of the United States and any department,
11 corporation, agency or instrumentality heretofore or
12 hereafter created, designated or established by the United
13 States;

14

15 (iv) "Grazing permit" means a permit, lease or
16 other document authorizing livestock to graze on an
17 allotment;

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19 (v) "Livestock" means as defined by W.S.
20 11-22-101(a)(ii) but does not include wild horses claimed
21 by the federal government under the federal Wild
22 Free-Roaming Horses and Burros Act, P.L. 92-195.

23

1 (b) Notwithstanding any other provision of this title
2 regarding permits to appropriate water, any permit issued
3 for the purposes of watering livestock on an allotment
4 shall:

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6 (i) Only be issued in the name of a federal
7 agency jointly with a person or grazing association who has
8 the right to use a grazing permit;

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10 (ii) Be appurtenant to the allotment or land on
11 which the livestock is watered;

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13 (iii) Not be changed under W.S. 41-3-104 or
14 amended under W.S. 41-4-514 without seeking the consent of
15 the holder or holders of a valid grazing permit to graze
16 livestock on the allotment.

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18 (c) Any permit issued jointly in the name of a
19 federal agency and a grazing permit holder under this
20 section may be transferred to a different person or grazing
21 association that receives an allotment or grazing permit on
22 that federal land by filing for a permit assignment

1 accompanied by documentary evidence to the state engineer's
2 office.

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4 (d) Notwithstanding W.S. 41-3-401, no appropriation
5 for the purpose of livestock watering on an allotment is
6 subject to abandonment or partial abandonment if:

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8 (i) The nonuse is caused by, in whole or in
9 part, a federal agency's reduction of the AUMs on the
10 allotment; or

11

12 (ii) The nonuse is voluntary because a grazing
13 permit holder chooses not to graze livestock on that
14 allotment, provided that the nonuse shall not exceed five
15 (5) years.

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17 (e) Nothing in this section shall affect any
18 livestock water right or permit held by a federal agency on
19 or before July 1, 2022.

20

21 **Section 2.** This act is effective July 1, 2022.

22

23

(END)