

SENATE FILE NO. SF0110

Unlawful use of water.

Sponsored by: Senator(s) Peterson and Representative(s) Flitner

A BILL

for

1 AN ACT relating to water; requiring the state board of
2 control upon request to make a preliminary determination
3 related to the unlawful use of water and to seek
4 prosecution of violations; and providing for an effective
5 date.

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

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9 **Section 1.** W.S. 41-3-614 is amended to read:

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11 **41-3-614. Well, headgate or waterbox; prohibited**
12 **acts; penalty for violation.**

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14 It shall be unlawful for any person to willfully use or
15 possess water which has been lawfully denied by the water

1 commissioner or other competent authority or to open,
2 close, change or interfere with any well, pump, reservoir
3 outlet valve, dam, diversion, headgate or waterbox without
4 authority. Any violation of this section shall be
5 punishable pursuant to W.S. 41-3-616. Upon the request of a
6 water commissioner or other competent authority, the board
7 of control shall make a preliminary determination of
8 whether there has been a violation of this section and, if
9 applicable, shall refer the violation for prosecution as
10 provided in W.S. 41-3-616(a) or for suspension or
11 cancellation of a certificate of registration or
12 certificate of appropriation held by the violator.

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

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(END)