

ENROLLED ACT NO. 21, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING  
2022 BUDGET SESSION

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

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

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

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

(a) As used in this section:

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

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

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

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

(v) "Livestock" means as defined by W.S. 11-22-101(a)(ii) but does not include wild horses claimed

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by the federal government under the federal Wild Free-Roaming Horses and Burros Act, P.L. 92-195.

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

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

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

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

(c) Any permit issued jointly in the name of a federal agency and a grazing permit holder under this section may be transferred to a different person or grazing association that receives an allotment or grazing permit on that federal land by filing for a permit assignment accompanied by documentary evidence to the state engineer's office.

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

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

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

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

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

(END)

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Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk