

State Engineer's Office

Mission and philosophy

The mission of the Wyoming State Engineer's Office and Board of Control is to provide for the general supervision and protection of all waters of the state, the appropriation, distribution and application to beneficial use of water as provided under the prior appropriation doctrine; and maintenance of flexibility within that framework to meet the changing needs of the citizens of Wyoming. The State Engineer's Office analyzes and issues water right permits and provides water-related information for ensuring the appropriate management and regulation of Wyoming's water resources.

Results of outcomes

The State Engineer's Office strategic plan for this year contained a single goal and four objectives for reaching that goal. As all of the efforts of the agency revolve around the single mission of the proper administration of the state's water resources, this single goal ultimately reflects the interrelated activities of the office.

The majority of the items in the agency strategic plan involve the day-to-day administration of Wyoming's water resources, and a drought year emphasizes the dedication of the agency staff and quality of their commitment to the agency mission. The winter of 2004-05 was the sixth consecutive winter of below-average snow pack conditions. The exception was the southwest corner of the State where snowpack levels exceeded 30-year averages. Spring precipitation in most parts of the State did help mitigate drought conditions.

During a dry year, the demands on the field staff greatly increase, as many stream and river systems are in regulation that otherwise might not be under more normal hydrologic conditions. The local Water Commissioners/Hydrographers have continued with extraordinarily long hours to assure that senior water rights holders receive water as supplies diminished.

The large-scale development of coal bed natural gas (CBNG) in northeastern Wyoming continued to dominate the workload of this agency. Under current Ground Water Division practice, each well is permitted as required by the agency's ground water statutes. The workload has increased for the ground water staff in moving these applications through the permitting process, and for support services' staff, as each of these permits needs to be microfilmed and added to the water rights database. A total of 8,602 groundwater well permit applications were received during the reporting period. As additional groundwater is brought to the surface via CBNG development, the industry needs to manage this water in an

General information

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Agency contact

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Other locations

Division Offices: Cokeville, Riverton, Sheridan, Torrington

Year established

1890

Statutory references

Constitution, Article 8 and Wyoming Statutes - Title 41

Authorized personnel

120 full-time employees, 20 part-time employees

Organizational structure

Administration, Ground Water, Surface Water, Board of Control, Support Services, Interstate Streams, Water Division Nos. 1-4, Board of Registration for Professional Engineers and Professional Land Surveyors, Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors

Clients served

General public

Budget information

General Fund.....	\$8,311,799
Water Development Fund.....	\$634,854
Federal Funds	\$156,425
Other Funds (Private)	\$1,493
Total	\$9,104,571

environmentally sound manner. The preferred management method remains on-channel reservoirs which are permitted through the Surface Water Division. In this permitting process we seek to ensure that downstream senior irrigation water rights are protected as well as assure that the large reservoir structures are safely constructed.

The Cheyenne office and Division I field office staffs are continuing the process to implement the Final Settlement Stipulation and Modified North Platte Decree, which resulted from settlement of the *Nebraska v. Wyoming* litigation. On November 13, 2001 the United States Supreme Court accepted the settlement reached by the parties to the lawsuit. Implementation of the provisions of the settlement has been underway since that time. Wyoming is required to adjudicate groundwater rights in the North Platte River drainage that are not yet adjudicated, continue to conduct annual irrigated acreage mapping, collect and report water use and storage data to the parties to the settlement, and accomplish numerous other tasks associated with the settlement. New tasks this year included the measurement and replacement of water used in tributaries and drains below Whalen Diversion Dam. For the 2004 irrigation season the following acreage amounts were counted as intentionally irrigated and reported to the parties as required by the settlement:

- North Platte River above Guernsey Reservoir - 162,735 acres (cap = 226,000 acres)
- Lower Laramie River - 15,852 acres (cap = 39,000 acres)

A major focus of the Support Services Division has been to begin implementation of the IT Initiative which was partially funded in the 2004 Legislative Session. Phase I of the initiative (Business Process Evaluation) was completed in December, 2004. The Phase II (System Design) contract was awarded in February 2005 and is scheduled for completion in September 2006. When completed, the IT Initiative is envisioned to accommodate submittal of electronic permits and allow for all documents to be stored, searched, and processed using electronic medium. This will greatly improve staff efficiency and assist in processing the added permit application workload resulting from CBNG development in the State.

The Interstate Streams Division is responsible for representing Wyoming interests and forging cooperative relationships with adjoining states. As many downstream states continue to grow faster than Wyoming, additional pressures are placed on the water supplies allocated to Wyoming by interstate compact or court decree. In May 2004 Montana made a claim alleging Wyoming may have stored water in violation with the Yellowstone River Compact. Specifically, Montana asserted that Wyoming should be releasing Wyoming water improperly stored in the Powder and Tongue River basins and deliver that water to Montana. Wyoming State Engineer, Pat Tyrrell, denied Montana's claims and requested a complete

factual development of the Montana allegations. After several interstate meetings and conferences, Montana has temporarily set aside their 2004 claim. It is Mr. Tyrrell's contention that the reduced water flows to Montana are the result of the prolonged drought, and a compact violation has not occurred. Evidence to support this position was provided to Montana. During the spring of 2005 Montana renewed their allegations that Wyoming was not abiding with the terms in the Yellowstone River Compact. However, heavy precipitation in the April-June, 2005 time frame provided adequate water to Montana, and the allegations did not progress to a formal complaint.

The prolonged drought has also had a dramatic effect on the entire Colorado River system. By April 2005, Lake Powell was at 33 percent of capacity and another two years of severe drought was projected to completely empty the reservoir. This in turn would have prevented the upper basin states (Wyoming, Colorado, New Mexico and Utah) from meeting their compact obligation of 7.5 million acre-feet (MAF) of releases to the lower basin states (Nevada, Arizona, and California). A compact violation of this type has never occurred in the Compact's 83-year history. Heavy precipitation levels in the lower portion of the basin mitigated the drought for 2005. However, a return to the dryer conditions experienced from 1999-2004 could again cause water supplies to approach dire levels. In response to a potential call from the lower basin states, State Engineer Pat Tyrrell initiated a preliminary study of potential water administration in the Green River basin. The study has identified information needs that Wyoming will need to minimize the impacts of a call for curtailment of consumptive water use in the basin. It is anticipated that additional funding will be sought in the 2007-08 biennium to obtain the necessary consumptive water use data to protect Wyoming in the event of a Colorado River call.

Strategic plan

The current Agency plan (fiscal years 2005-06) contains one goal and four objectives, which are similar to previous years. They are stated as follows:

- Goal I – Provide for the proper regulation, administration, management and protections of the waters of the State of Wyoming (Wyoming Constitution, Article I and Wyoming Statutes (W.S.) Title 41).
 - Objective 1: Water being put to beneficial use in the state is permitted and is applied to beneficial use in accordance with state law. W.S. 41-4-501, 41-3-905, 41-3-301. Outcome 1.01 measurement: Number of appeals of Board of Control field personnel decisions that are overturned by the State Engineer as a percentage of drainages that are administered and/or regulated

in a year. Result 0:68 = 0.00 percent (Target: less than 5 percent per year).

- Objective 2: Aggressively protect Wyoming's apportionments provided through the various interstate compacts and decrees to which Wyoming is a party. (W.S. 41-12-101 thru 41-12-702). Outcome 2.01 measurement: Number of litigation actions filed by other states claiming Wyoming violations of court decrees or compacts. Result: 0 (Target: maximum of one per year).
- Objective 3: Gather, analyze, and publish data regarding Wyoming water resources for administration, regulation and management purposes. Outcome 3.01 measurement: Publish the annual Hydrographer Report for each division. Result: 2 out of 4 completed (Target: four per year).
- Objective 4: Educate the public and agency personnel in water resources issues and make information from the SEO available to the public. Outcome 4.01 measurement: Number of water right violations confirmed by the agency. Result: 10 (Target: less than 200 per year).

In looking forward to the next fiscal year, several new and continued initiatives are considered a priority for the agency. They include:

- Accelerate the processing of CBNG permits,
- Upgrade the business practices of the agency,
- Proceed with the IT Initiative,
- Implement and comply with all aspects of the North Platte River modified decree and stipulation agreement,
- Continue the efforts to complete the Big Horn River general adjudication.
- Resolve the Yellowstone Compact issues with the State of Montana.
- Actively participate in the on-going Colorado River management discussions in order to protect Wyoming's allocation and the water stored in Lake Powell.

Board of Registration for Professional Engineers & Professional Land Surveyors

General information

Christine Turk, executive director

Agency contact

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Cheyenne, WY
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307/777-6155

Year established

1907

Statutory reference

§33-29-114 through §33-29-149

Number of authorized personnel

Three staff, two attorney general representatives and one contract investigator

Clients served

Professional Engineers and Professional Land Surveyors

Budget information

Earmarked \$320,144

Agency to which group reports

State Engineer's Office

Number of members

Seven

Meeting frequency

Quarterly

Mission and philosophy

The mission of the Board of Registration for Professional Engineers and Professional Land Surveyors is to protect the public from incompetent, unethical or unlicensed practice of engineering and land surveying, and to promote excellence in the practice of these regulated professions.

Results of outcomes

The board participates at the national level in the activities of the National Council of Examiners for Engineering and Surveying.

The board has very limited powers to enforce the legislation requiring a license for the practice of engineering or surveying as it applies to non-registrants.

Strategic plan changes

No changes have been submitted.

The board has set goals of updating examinations on an annual basis, attending one zone and one annual meeting annually, completing all investigations in 120 days, finalizing all disciplinary actions within one year of initiation of complaint and meeting annually with the professional organizations and or societies.

Board of Examining Water Well Drilling Contractors & Water Well Pump Installation Contractors

General information

Seven member board of examiners

Agency contact:

Lisa Lindemann
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Cheyenne, WY 82002
llinde@seo.wyo.gov

Year established

2003

Statutory references

§33-42-101 through §33-42-111

Number of authorized personnel

One attorney general representative

Clients served

Water well drilling contractors and water well pump installation contractors, and the general public

Budget information

Earmarked \$50,000

Agency to which group reports

State Engineer's Office

Number of members

Seven

Meeting frequency

Not less than two times per year.

Mission and philosophy

The mission of the Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors is to administer a voluntary certification

program. The program purpose is to protect the public from incompetent and unethical water well drilling and water well pump installation, as well as the promotion of excellence in the practice of this area of expertise.

Results of Outcomes: The Board was created by legislation in the 2003 session. The Board consists of seven members and has been functioning since June, 2003. The Board promulgated a set of rules and regulations. These rules and regulations were approved in December, 2004. To date no one has submitted an application to become certified in this voluntary program.

Strategic plan changes

The Board has not yet established a strategic plan.

State Engineer's Office organizational chart

