

STATE OF WYOMING

WYOMING STATE ENGINEER'S OFFICE



STRATEGIC PLAN

JULY 1, 2020 – JUNE 30, 2024

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STRATEGIC PLAN

I. INTRODUCTION

Wyoming State Agencies are required to complete and update strategic plans as required by W.S. § 28-1-115 and §28-1-116. The Wyoming State Engineer's Office (SEO) July 1, 2020 – June 30, 2024 Strategic Plan provides a multi-year prospective to accomplish and further the goals and objectives statutorily required of the agency.

PURPOSE AND AUTHORITY

Article 1, Section 31 of the Wyoming Constitution states, "Control of Water - Water being essential to industrial prosperity, of limited amount, and easy of diversion from its natural channels, its control must be in the state, which, in providing for its use, shall equally guard all the various interests involved."

Article 8 of the Wyoming Constitution created the SEO and Board of Control (BOC) to provide general supervision of the waters of the State of Wyoming. The role of both the SEO and the BOC is to administer a water law system that allocates the waters of the state based upon the doctrine of prior appropriation. Water users are then able to rely on a defined water law system which provides protection and security in a state that has to endure the scarcity of water on an annual basis.

The SEO issues permits for the beneficial use of Wyoming's water resources. The BOC, comprised of the State Engineer (SE) and four Water Division Superintendents, is an independent, quasi-judicial entity, having sole jurisdiction over the final adjudication of water rights and amendments made to those adjudicated rights.

The SEO's primary responsibilities are:

- Interstate streams coordination,
- Surface water administration,
- Groundwater administration,
- The adjudication and certification of water rights, and
- Dam safety.

It is the SEO's goal to provide for the proper regulation, administration, management, and protection of the waters of the State of Wyoming.

The SEO is a regulatory agency responsible for the issuance of permits prior to construction or development of any groundwater or surface water resource. All impoundments, stream diversions, spring developments, groundwater wells, and weather modification efforts are permitted and regulated by the agency. In addition to assuring that water is put to beneficial use, the agency is also responsible for the administration of Wyoming's obligations under various

interstate Compacts and Court Decrees which allocate water among Wyoming and adjacent river basin states. Wyoming is a headwaters state, and the SEO recognizes that certain leadership obligations rest with the state. Thus, it is imperative to disseminate knowledge gained from the experiences of being located near the headwaters of every major river basin in the West.

Statutes governing dam safety inspections and regulation were enacted by the Wyoming Legislature and are administered by the SE. W.S. §18-5-306 (a), related to the adequacy of subdivision water supplies, was passed by the Legislature in 1997. The legislation states that the Department of Environmental Quality, Water Quality Division (DEQ/WQD) will be the lead agency in administering the law; however, DEQ/WQD can request assistance from any other state agency in carrying out the activities required by law. The DEQ/WQD receives assistance from GWD in reviewing and commenting on the adequacy of proposed subdivision water supplies. Both of these functions represent a public safety effort to protect the citizens of this state.

The SEO works closely with other state and federal agencies to better manage the state's water resources for the benefit of its citizens. Important cooperative efforts include:

- River basin planning and Weather Modification Research – Water Development Commission,
- Instream flow water rights – Game and Fish Department and Water Development Commission,
- Oil and Gas Development – Department of Environmental Quality and Oil and Gas Conservation Commission,
- Sage Grouse Conservation – Game and Fish Department,
- Memorandum of Understanding covering the issuance of permits for water rights and uses on or derived from National Forest System Land,
- Memorandum of Understanding covering the issuance of permits for water rights and uses on or derived from the Bureau of Land Management Land, and
- Memorandum of Understanding covering the issuance of permits for water rights and uses on or derived from Office of State Lands.

Wyoming's initial framework for water regulation and administration was created by Territorial and State Engineer Elwood Mead. This system is based upon the doctrine of prior appropriation. The State Constitution affirms the importance of water administration by incorporating articles pertaining to water rights and their administration. As defined by the Wyoming Supreme Court, water rights are considered property rights when beneficial use is applied. The first water right in Wyoming has a priority date of 1862. Many water rights are older than statehood (July 1890), these rights are referred to as territorial permits (pre-July 10, 1890). The SEO is responsible for maintaining all water rights in perpetuity.

MISSION STATEMENT

“To provide for the general supervision and protection of both inter and intra-state waters of this state, including the appropriation, distribution, and application to beneficial use of water as provided under the prior appropriation doctrine while maintaining the flexibility within that framework to meet the changing needs of the citizens of Wyoming.”

To accomplish this mission, the SEO maintains a water law system which provides security, reliability, and protection to all users of the system under a defined process.

VISION STATEMENT

“The SEO will continue in its role and reputation as the authoritative voice in water allocation and water rights administration of the waters of the state. State primacy over water regulation and apportionment will continue into the future. Water users will continue to enjoy the certainty, predictability and consistency in water management inherent to the prior appropriation doctrine and the specifics of Title 41 statutes.”

The SEO’s regulation of surface water commences upon receipt of a valid request from a senior water right holder, or when required under a compact or decree. Wyoming’s water users trust our water allocation system and recognize water regulation as a proper function of government.

Although different demands for the state’s water resources may arise in the future, the state’s existing laws have the flexibility to accommodate new uses. When changes to law or rule may be needed, revisions will be carefully analyzed to ensure that any changes protect the rights of existing water right holders and are consistent with the state’s constitutionally mandated system of prior appropriation.

PHILOSOPHY

In administering the waters of the State, SEO employees provide the most efficient and courteous service possible to the people we serve and regulate. The SEO maintains a high level of accuracy and a common-sense approach to all regulatory activities. The SEO is proud of the heritage, integrity, and efficiency associated with Wyoming’s water regulation and administration. The SEO fulfills the agency’s constitutional obligations of protecting and preserving Wyoming’s use of its water resources and ensuring water distribution and administration are conducted in an accurate, legal, and timely manner. The SEO strives to obtain and maintain the resources necessary to meet these goals.

The SEO is committed to providing our employees with the training necessary to understand the complexities of water law, water right permitting and water regulation. Agency management strives to provide consistent decisions and application of those decisions equitably across all divisions. The public has confidence in the water resources data that our employees collect and

manage, and we maintain that confidence by accurately collecting, analyzing, updating, and reporting information on Wyoming's water resources and uses. On an interstate basis, Wyoming is proud of the leadership reputation gained over the years of participation in the many river basin organizations in the West - our broad exposure to issues allows us to meld ideas and successes from one basin to another.

CORE VALUES

We respect and defend the foundation of Wyoming's water law.

We have pride in, and dedication to, serving the public and supporting each other.

We are reliable and conscientious stewards of Wyoming's water resources.

We exhibit a professional and honest work ethic while striving for excellence.

CORE BUSINESS FUNCTIONS

The agency's three core business functions serve Wyoming's citizens and all water appropriators, including agricultural, industrial, commercial, municipal, and domestic water users.

1. Permitting and Adjudication of Water Rights: Anyone who wishes to put the state's water to beneficial use must first obtain an approved permit to do so from the SEO. The permit is the first step in acquiring a water right, and it defines the conditions of use as well as the priority date. Once a permit is approved, the permit holder may begin construction of the facility (e.g., a water well, irrigation ditch or reservoir) and begin beneficially using water. Upon satisfying the conditions of the permit, the appropriator may file a notice of beneficial use and seek adjudication of the water right, which is a function of the BOC.
2. Administration and Regulation of Water Rights: Wyoming has a semi-arid climate and most areas of the state occasionally experience water shortages. During times of shortage, water is allocated to senior water users based on the doctrine of prior appropriation and supporting Wyoming Statutes. The administration and regulation of water rights are supervised by four Water Division Superintendents, one of which is located in each water division (i.e., Torrington (Water Division 1), Sheridan (Water Division 2), Riverton (Water Division 3), and Cokeville (Water Division 4)). Each Superintendent has a staff of Hydrographer-Water Commissioners (H/WC) located throughout each division who are responsible for allocating water by regulating head gates, pumps, stream diversions, reservoirs, etc.
3. Administration of Interstate Compacts and Decrees: Wyoming is party to seven interstate water compacts and three interstate court decrees. These documents define the amount of water Wyoming can either use or must provide to downstream states. In addition to the SE, a staff of four SEO staff in Cheyenne maintains contact with adjoining states and federal agencies to assure compliance with the compacts and decrees, monitor federal actions, and participate in programs that have the potential to impair or enhance Wyoming's ability to use water.

QUALITY OF LIFE RESULTS

The Governor's Office previously developed ten Quality of Life Results that are important to Wyoming and should be used to guide agency missions and strategic planning and were developed pursuant to W.S. §28-1-116(a). Two of those results are applicable to the SEO.

Result #6: Wyoming state government is a responsible steward of State assets and effectively responds to the needs of residents and guests.

Result #8: Wyoming's natural resources are managed to maximize the economic, environmental, and social prosperity of current and future generations.

II. PERFORMANCE MEASURES

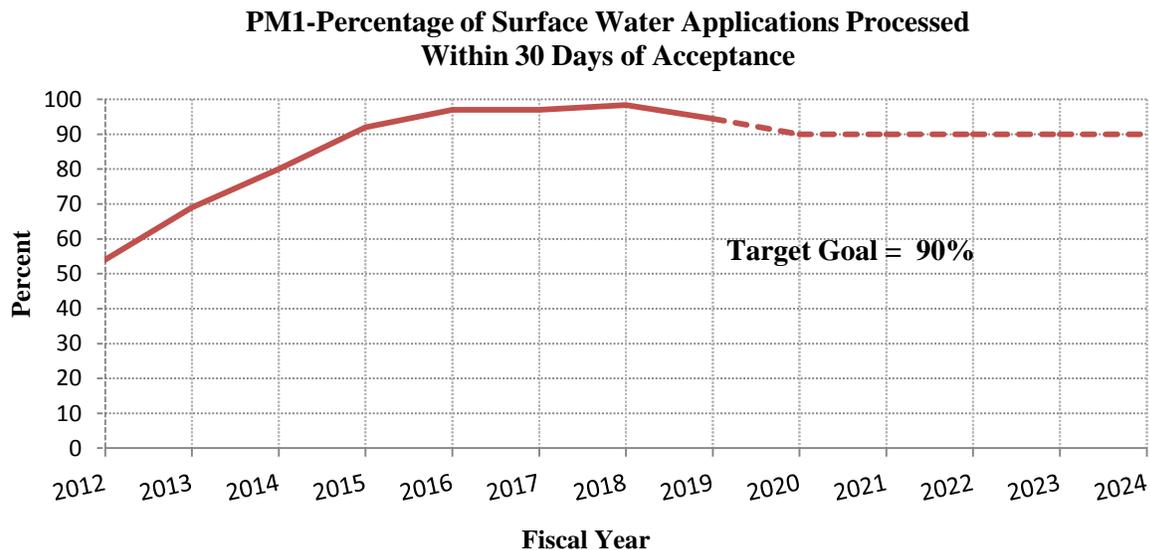
The SEO developed the following six performance measures with the intent of monitoring and improving customer service, as well as measuring its accomplishments in both permitting and field administration activities.

Performance Measure 1: Surface Water Applications Processed within 30 Days of Acceptance

Prior to utilizing surface waters of the State, an appropriator must obtain a permit through the Surface Water Division (SWD). The Division processes permit applications for stream diversions, canals, instream flows, reservoirs, and weather modification efforts. A permit allows the permittee to construct facilities and begin using water for its permitted purpose.

Processing of an application is complete when it is either advanced to permit status or is rejected. For those applications that have been reviewed and found to be deficient (i.e., require additional information from the applicant), the tracking of time is suspended until the applicant responds to the agency's request for additional information.

Performance Measure 1 establishes a goal expecting 90% of acceptable applications be processed within 30 days of acceptance. This performance measure not only allows the SWD to track a reasonable expectation of service, but also the reduction in backlogged applications. If the SWD can process the majority of applications within 30 days of acceptance, applicants benefit by being able to beneficially use Wyoming's water in a timely manner.



Performance Measure 2: Groundwater Applications Processed Within 30 Days of Acceptance

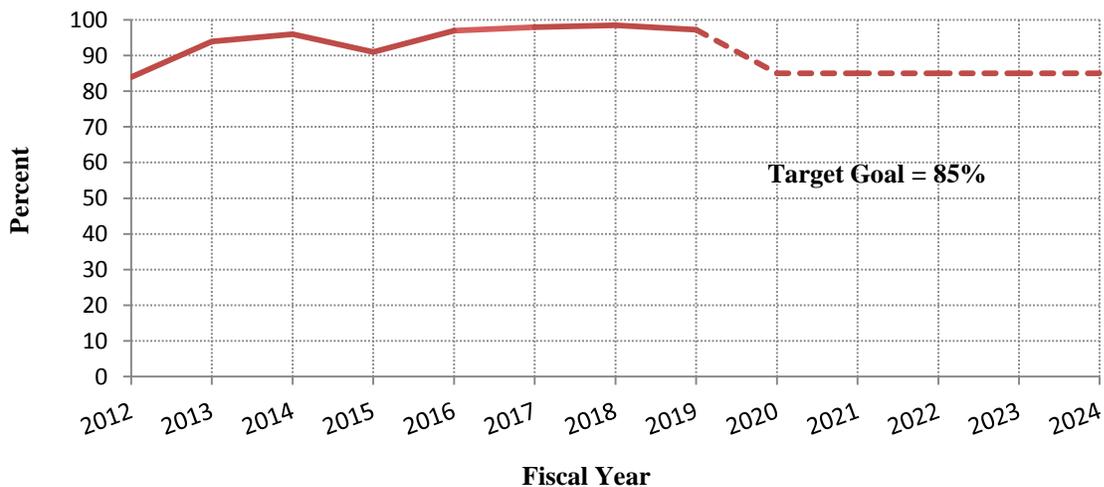
The Ground Water Division (GWD) believes that when an applicant submits a groundwater application for consideration, there is a reasonable expectation that the application is processed in a timely manner. Performance Measure 2 establishes a goal expecting 85% of acceptable applications be processed within 30 days of acceptance.

The groundwater permit application process is complete when an acceptable application has been either approved or rejected. For those applications that have been reviewed and found to be deficient (i.e., needing additional information from the applicant) the tracking of time is suspended until the applicant responds to the GWD's request for additional information.

Performance Measure 2 includes processing groundwater applications for wells located in the state's three groundwater control areas. These applications are subject to public notice and comment, potential mediation and/or hearings, and review by the Control Area Advisory Board. The Board then provides a recommendation to the SE as to whether or not the SE should approve or reject the application. In most cases, an application in a Control Area is processed in a timely manner. However, if the application is protested, the process can take six months to a year (or more), depending on objections to the application, whether the parties agree to mediation, or proceed to a hearing.

Certain uses (e.g., irrigation, industrial uses, or conversion of coal bed methane wells to water wells) or applications proposing wells in certain areas of the state (e.g., the North Platte drainage), may also require additional review and processing time, as do those applications subject to sage grouse-related reviews.

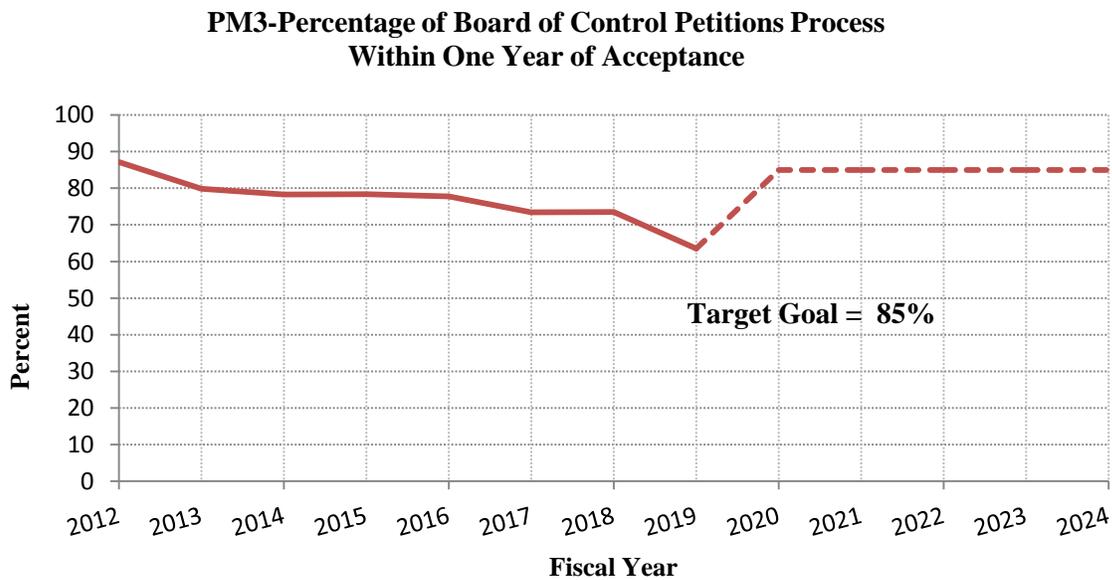
PM2-Percentage of Groundwater Applications Processed Within One Month of Acceptance



Performance Measure 3: Board of Control Petitions Processed within One Year of Acceptance

Once an appropriator has been granted a permit, water may be applied to beneficial use in accordance with the permit. In order to perfect the water right, the appropriator is expected to adjudicate the water right through the BOC. Once adjudicated, a Certificate of Appropriation is issued. If at some later date the appropriator wishes to change some part of the adjudicated water right, they are required to petition the BOC for the change. The BOC reviews the petition for compliance with state statutes and determines if other appropriator(s) will be injured by the granting of the petition. Processing of the petition can require extensive staff review and deliberations by the BOC. Expeditious review and action is a service that Wyoming water users should expect with regard to their petitions. The start time for tracking purposes is the date of acceptance by the agency. The end time for tracking purposes is the date that the BOC takes final action to either grant in full, grant in part, or deny the petition.

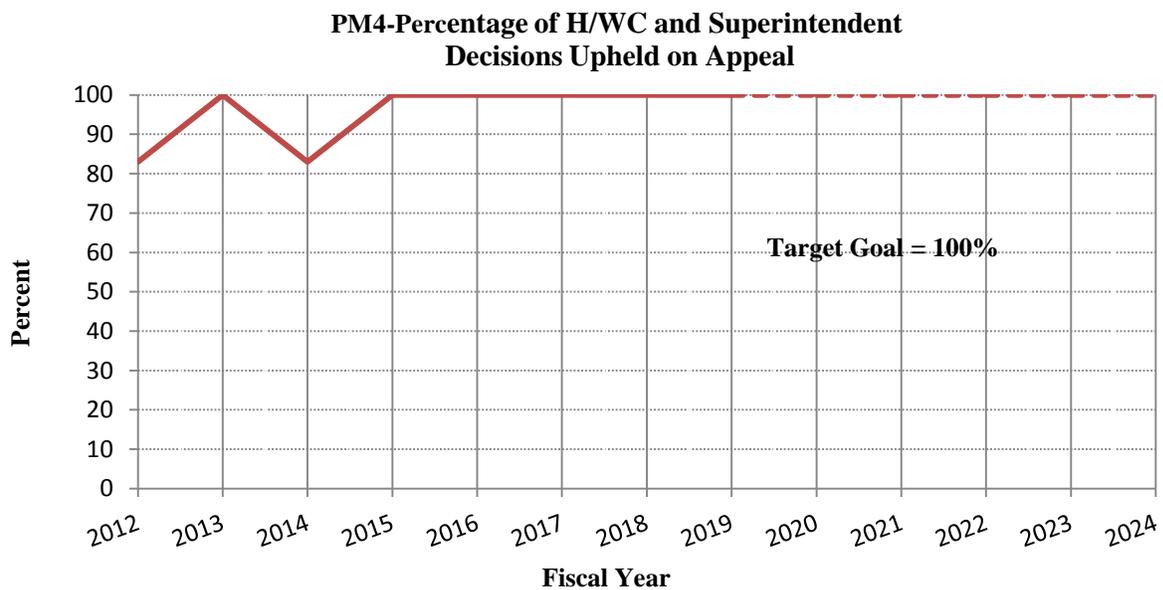
Performance measure 3 establishes a goal expecting 85% of BOC petitions be processed within one year of acceptance.



Performance Measure 4: Hydrographer/Water Commissioner (H/WC) and Superintendent Decisions Upheld on Appeal

Each year the agency’s field staff is required to make dozens of water regulation decisions in drainages where the water supply is not sufficient to fully supply all water demands. These decisions are often controversial when a junior appropriator is denied water due to a shortage of available water. It is imperative that field decisions are compliant with the state’s complex water right statutes. In order for this to occur, the field staff must be professional and well educated in the field of water rights. W.S. §41-3-603 provides for an appeal process whereby any person who feels they may be injured by a decision of an H/WC can appeal the decision to the division superintendent, and from the superintendent’s decision may appeal to the SE, and from this decision may appeal to district court. If the BOC is utilizing knowledgeable and well trained field personnel, the H/WC will make good decisions.

Appeals monitored under this performance measure are pursuant to W.S. §41-3-506 and §41-3-603. Performance measure 4 establishes a goal expecting all (i.e., 100 percent) H/WC and Superintendent decisions are upheld on appeal.



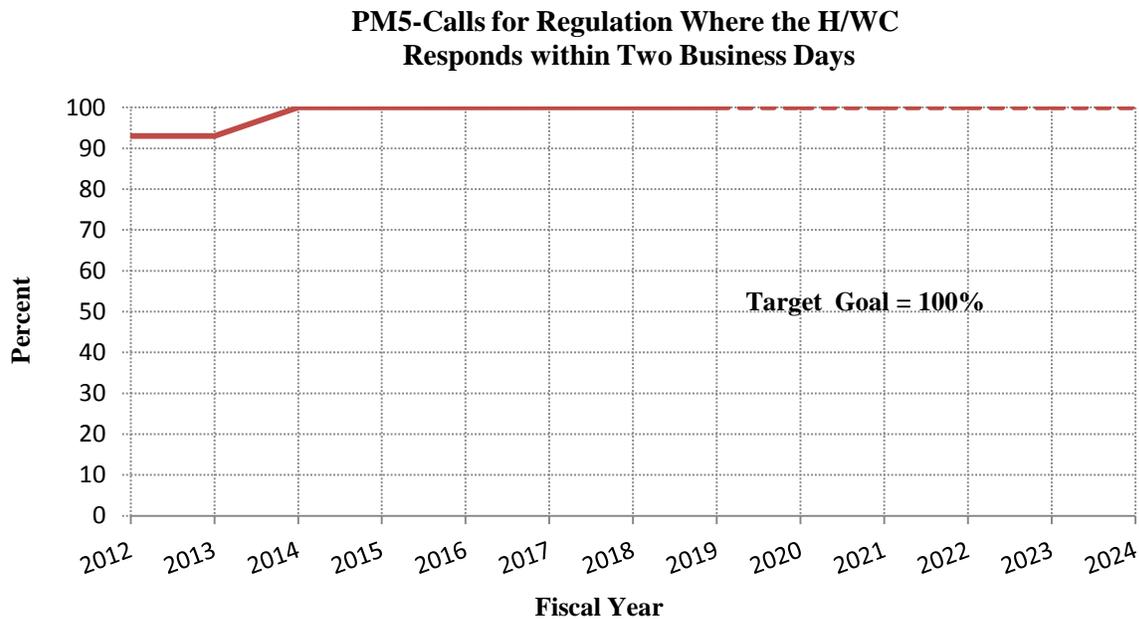
Performance Measure 5: Calls for Regulation Where the H/WC Responds within Two Business Days

As streams recede from their runoff peaks, less water is available for diversions. When there is insufficient water in a stream system to satisfy senior water rights, the appropriator may place a call for regulation with the local H/WC. The H/WC then begins to regulate junior water right diversions until the calling party’s water right has been satisfied. Based upon the doctrine of prior appropriation and various Wyoming statutes, the most junior water rights are regulated first and senior water rights are allowed to continue to divert up to their permitted/adjudicated rate.

During the growing season, availability of water is critical to maximize crop yields. If a senior irrigator runs short of water and places a call for regulation, the H/WC response time can greatly influence crop productivity.

As such, the agency has adopted a standard of responding to all calls for regulation within two business days from receipt of a written request. By tracking response times, the Division Superintendents can assess where additional resources may be needed in times of future water shortages.

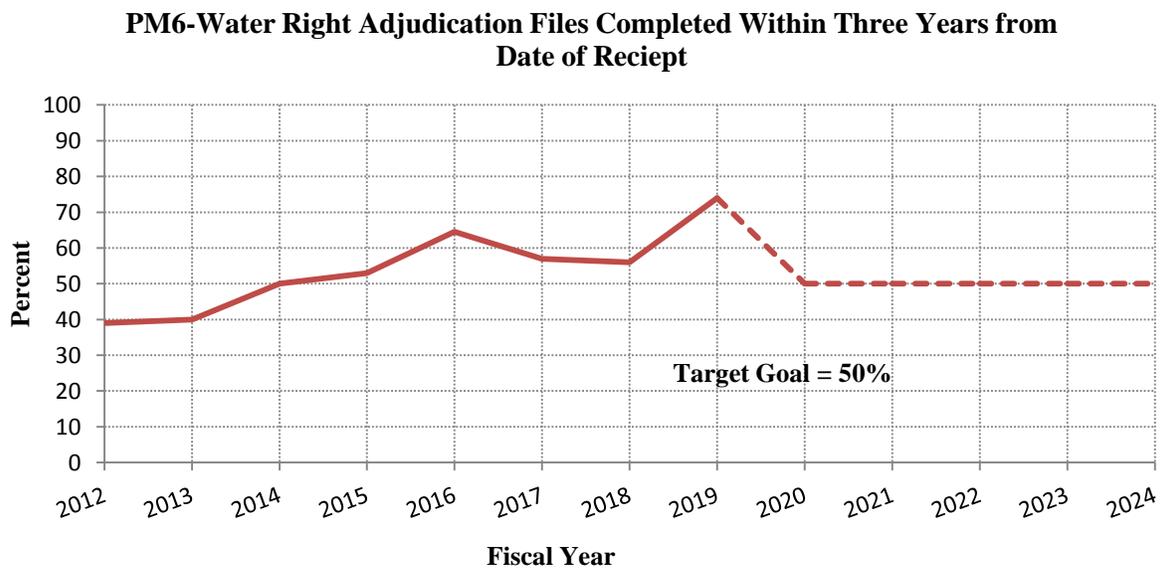
Performance measure 5 establishes a goal expecting H/WC always (i.e., 100 percent) respond to calls for regulation within two days.



Performance Measure 6: Water Right Adjudication Files Completed Within Three Years from Date of Receipt

Performance Measure 6 tracks the percent of water right adjudications completed within three years of the date of receipt for both surface water and groundwater proofs. The performance measure uses data compiled by the SWD, GWD, and BOC. The start time for tracking the water-right adjudication process through the Board of Control (BOC) is the date the agency accepts one of the following documents as complete, which then triggers generation of a proof, 1) Notice of Completion to Beneficial Use for ditches, 2) Notice of Completion of Construction for reservoirs; or 3) Proof of Appropriation and Beneficial Use of Ground Water (Form U.W. 8) and an acceptable map for wells and springs. Tracking ends the day the BOC takes final action to either, 1) adjudicate, 2) adjudicate in part, or 3) reject the adjudication. The final result (after adjudication) is the issuance of a certificate of appropriation which is recorded in the County Clerk’s office as a property right.

Performance Measure 6 establishes a goal expecting 50 percent of water right adjudication files be completed within three years of the date of receipt.



III. AGENCY PROGRAMS AND PRIORITIES

W.S. §28-1-115(ii) (B) requires that every state agency, within the context of its strategic plan, “State the relative priority that each current or proposed program bears with regard to all other programs and objectives within the agency.”

The SEO has nine programs as defined by both budget and organizational structure.

| Program | Priority |
|--|-----------------|
| 1. Administration | 1, 3 |
| 2. Interstate Streams | 1, 2 |
| 3. Surface Water | 1 |
| 4. Ground Water | 1 |
| 5. Board of Control | 1 |
| 6. Support Services | 1, 3 |
| 7. North Platte | 1, 2 |
| 8. Board of Professional Engineer’s and Land Surveyors | 1 |
| 9. Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors | 1 |

Notes: Priority 1 Constitutionally and/or statutorily required
Priority 2 Required by Court Decree and/or Compact
Priority 3 Support and administration for required program

PROGRAM DESCRIPTIONS

1. Administration Division

Governing Provisions

Wyoming Constitution Article 8, W.S. §41-3-901 through §41-3-938.

Description

Administration includes staff common to all of the agency's operations. Duties of this division include overall agency management, budget, strategic planning, fiscal, personnel, and executive management.

2. Surface Water Division

Governing Provisions

Wyoming Constitution Article 8, W.S. §9-1-905 through §9-1-909, W.S. §41-3-307 through §41-3-318, W.S. §41-3-1001 through §41-3-1014, W.S. §41-4-501 through §41-4-510.

Description

The SWD is divided into two sections; 1) Permitting, and 2) Safety of Dams.

The Permitting Section administers and manages the water right permitting process of surface water resources. This section also processes and issues permits for weather modification activities in the state.

The Safety of Dams Section has two general functions: 1) review of detailed plans and specifications showing the work necessary to construct jurisdictional new dams and diversion systems, repair or modification of existing structures, and/or the removal or breaching of unsafe structures; and 2) administering the Periodic Safety Inspection Program. Other important functions of the Safety of Dams Section include public education, hazard awareness program, coordination with other state and federal agencies, and maintenance of the dam inventory for the state.

3. Ground Water Division

Governing Provisions

Wyoming Constitution Article 8, W.S. §41-3-901 through §41-3-938.

Description

The GWD's primary function is to process and approve groundwater permit applications and conduct field inspections for the adjudication of groundwater rights.

Additionally, the GWD is responsible for conducting interference investigations, hydrogeologic investigations, and maintaining a statewide network of approximately 112 active observation wells and a number of inactive observation wells pending rehabilitation or abandonment. Changes in groundwater elevations observed in these wells are used to monitor impacts to the groundwater resource and to support the Agency's permitting and management decisions.

The GWD coordinates the efforts of three Control Area Advisory Boards (W.S. §41-3-912 through §41-3-915, and W.S. §41-3-932) and four Ground Water Advisory Committees (W.S. §41-3-908. W.S. §18-5-306 (a), related to the adequacy of subdivision water supplies, was passed by the Legislature in 1997. The legislation states that the Department of Environmental Quality, Water Quality Division (DEQ/WQD) will be the lead agency in administering the law; however, DEQ/WQD can request assistance from any other state agency in carrying out the activities required by law. The DEQ/WQD receives assistance from GWD in reviewing and commenting on the adequacy of proposed subdivision water supplies.

4. Board of Control Division

Governing Provisions

Wyoming Constitution Article 8, Section 2, W.S. §41-3-501 through §41-3-506, W.S. §41-3-601 through 615, W.S. §41-4-101 through §41-4-105, W.S. §41-4-201 through §41-4-211, W.S. §41-4-301 through §41-4-331, Title 18 under Wyoming Statute §18-5-306(a) (xi) (D).

Description

The BOC was created by Article 8, Section 2 of the Wyoming State Constitution and as prescribed by law has, with the SE, responsibility over the supervision, distribution and use of the waters of the State. Four Water Division Superintendents and the SE comprise the BOC (W.S. §41-4-201). The BOC is a unique quasi-judicial body with sole jurisdiction over the adjudication, administration, and amendment of water rights. The BOC comprises a Cheyenne support staff and field staff located throughout the four water divisions with main offices located in Torrington (Division 1), Sheridan (Division 2), Riverton (Division 3), and Cokeville (Division 4).

Among other duties, the Cheyenne section of the BOC:

- Provides administrative and technical support to the division offices,
- Processes and records all petitions and Inundation Orders for changes to adjudicated water rights and petitions for change of use,
- Assists appropriators, professional engineers and land surveyors with petitions for changes to water rights,
- Reviews final surface water proofs of appropriation,
- Prepares and publishes the Tabulation of Adjudicated Water Rights, and
- Prepares and issues Certificates of Appropriation and/or Construction.

The BOC field staff is the primary regulatory link between the general public and the Agency office in Cheyenne with the four (4) Division Superintendents (W.S. 41-3-501 and 502) being the direct line of authority between the field and office staff of the BOC.

Each water division assists the SE and the BOC with water administration under Articles 1 (Sec. 31) and 8 of the State Constitution and report water flow and storage data.

5. Interstate Streams Division

Governing Provisions

Wyoming Constitution Article 8, Sections 1 and 5, W.S. §41-11-201 through 206, §41-12-101 through 801, 2015 General Session HB0069 - Omnibus Water Bill – Planning.

Description

The Interstate Streams Division (ISD):

- Provides staff assistance to the SE in his duties as Wyoming's representative to River Basin Commissions and Decree Committees,
- Represents Wyoming on various Technical and Policy Committees associated with River Basin Commissions,
- Represents the SEO in Water Planning, and
- Monitors Federal legislation and agency activities that may impact Wyoming's ability to manage its water resources.

Demands placed on the ISD continue to escalate as downstream states grow more quickly than Wyoming. Increased population demands, coupled with water needs for the environment driven by listings under the Endangered Species Act, emphasize the need for Wyoming to be vigilant in protecting the water supplies assured under the seven interstate river compacts and three court decrees to which Wyoming is a party.

Wyoming's membership and active involvement by the ISD in the various interstate, joint State/Federal and multistate organizations, committees, and groups provides continual monitoring, assessment and protection of our state's long-term interests in all of the river basins

having Wyoming headwaters. These organizations and forums provide the SE and the ISD with direct involvement and influence regarding interstate river activities and policies. Participation and involvement in each is appropriate as they individually and collectively have direct bearing on Wyoming's ability to use and develop our allocated shares of the water supply in each river basin.

6. Support Services Division

Governing Provisions

Authority for maintaining water rights records contained within W.S. §41-3-301 and 302; Wyoming Statute §41-3-905; and §41-4-501, 510, 517, and 525.

Description

The Support Services Division (SSD) provides technical direction and support to the SEO, and coordinates with other agencies and clients as deemed appropriate by the SE. This division manages the efforts of the agency regarding the implementation, continued operation and upgrades to the electronic water rights permitting system (e-Permit) of the SEO. The agency continues to leverage technology to increase efficiency in permitting and adjudicating water rights. The reliance on technology requires the SSD to not only understand past, current, and emerging technologies, but be able to provide informed recommendations on the evolution and integration of diverse technologies to better support the agency and its constituents.

7. North Platte Decree

Governing Provisions

2002 Session Laws, Chapter 83, Section 029 and the modified North Platte Decree and Final Settlement Stipulation.

Description

Following the approval of the Modified North Platte Decree by the U.S. Supreme Court on November 13, 2001, the 2002 Wyoming Legislature appropriated resources to implement the Decree administered by SEO staff and the Attorney General's Office.

The Decree calls for a general increase in monitoring, measurement, irrigated acres accounting, and reporting of water use, as well as future studies conducted by the North Platte Decree Committee, consisting of water officials from the United States Department of Interior, Bureau of Reclamation, and the states of Wyoming, Nebraska, and Colorado.

As a federal/state basin-wide plan, the program also provides direction and over site for compliance with the Endangered Species Act (ESA).

8. Board of Registration for Professional Engineer’s and Professional Land Surveyors (Fund 048).

Governing Provisions

W.S. §33-29-114 through §33-29-149.

Description

The Board of Registration for Professional Engineers and Professional Land Surveyors (Board) consists of eight members that are appointed by the governor for rotating terms of four years. By statute, the SE serves as Secretary-Treasurer of the Board W.S. §33-29-115.

The function of the Board, which meets formally at least four times per year, is to evaluate the qualifications of applicants for registration as a Professional Engineer and/or Professional Land Surveyor, either by examination or comity; certification of in-training status, and evaluation of applicant qualifications for the engineer and land surveyor in- training examinations. The Board also registers corporations that offer engineering and land surveying services in the State of Wyoming.

9. Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (Fund 118).

Governing Provisions

Title 33 – Professions and Occupations, Chapter 42 – Water Well Drilling Contractors and Water Well Pump Installation Contractors, W.S. §33-42-101 through §33-42-117.

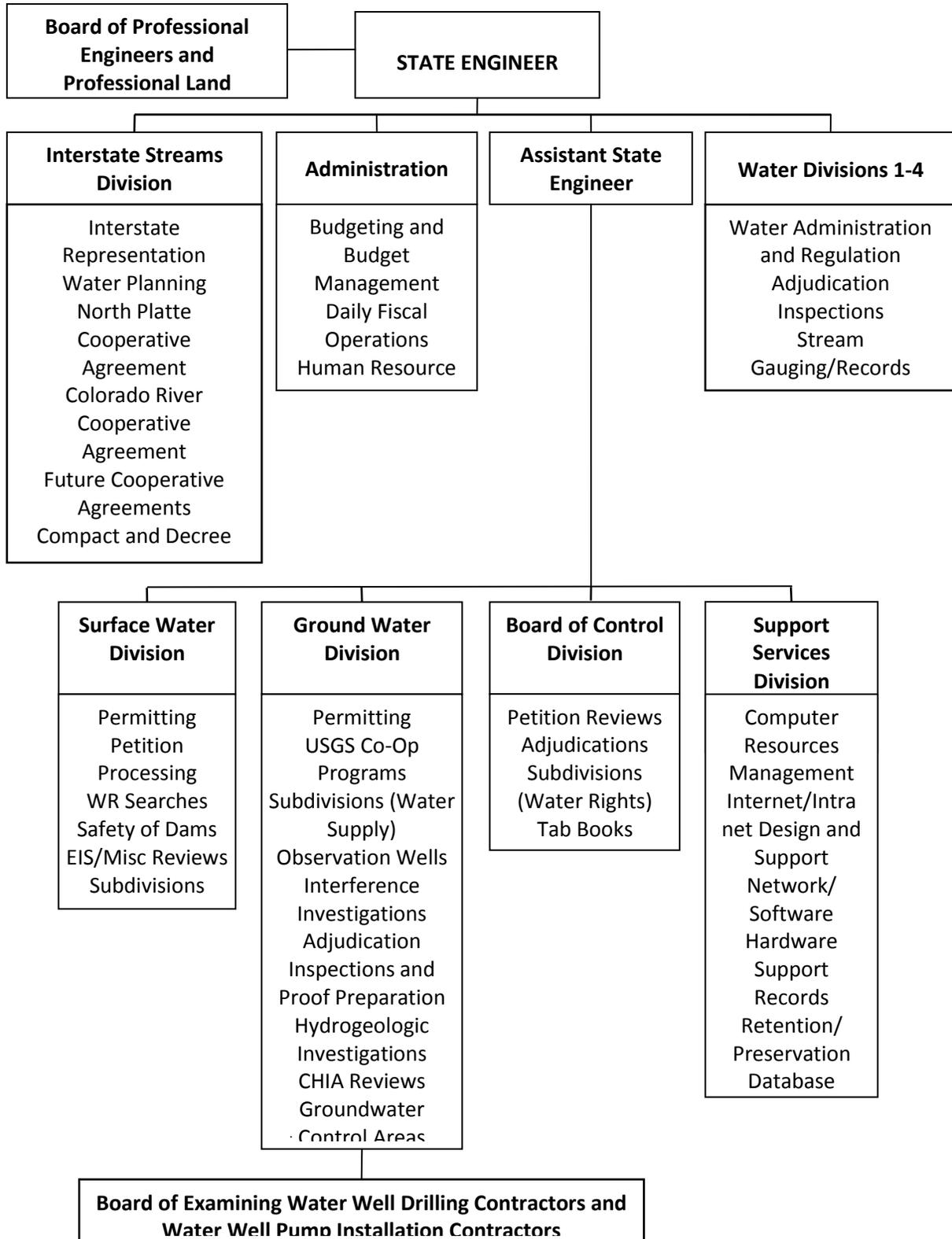
Description

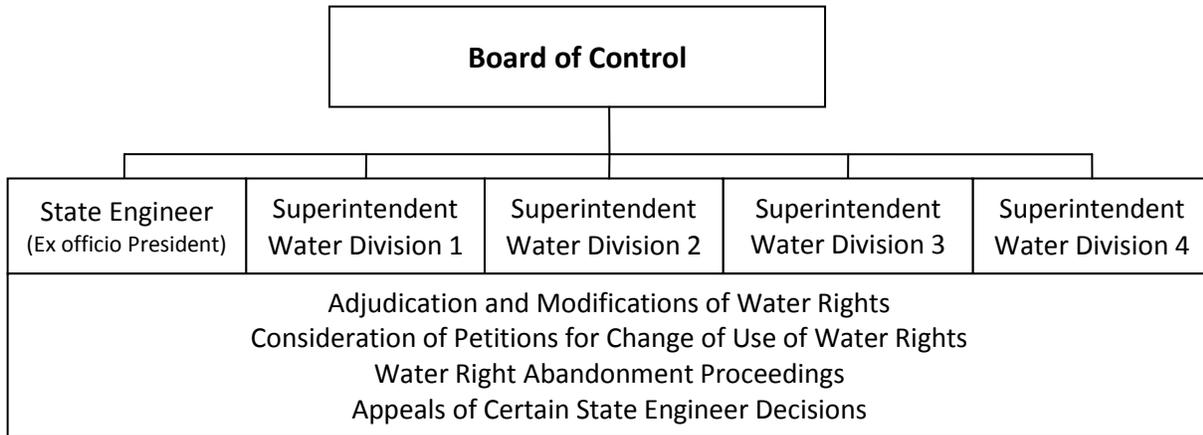
The State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (Board) was created by legislation in the 2003 session. The Board consists of seven members and has been a functioning entity since June 2003.

The Board administers a mandatory licensing program to ensure standard and adequate well construction. The Board is authorized to suspend or revoke the license of water well contractors that fail to meet established standards.

The licensing of water well drilling contractors and the licensing of water well pump installation contractors are separate activities.

**ORGANIZATIONAL CHART
STATE ENGINEER'S OFFICE**





V. PROPOSED FY21-22 BIENNIAL BUDGET

STANDARD BUDGET:

| | |
|---------------|---------------------|
| General Funds | \$12,584,032 |
| Other Funds | <u>\$15,594,037</u> |
| Total | \$28,178,069 |

EXCEPTION BUDGET:

| | |
|---------------|------------------|
| General Funds | \$ 0 |
| Other Funds | <u>\$ 48,300</u> |
| Total | \$ 48,300 |

Authorized Positions:

| | |
|------------|----------|
| Full Time: | 115 |
| Part Time: | <u>5</u> |
| Total: | 120 |

VI. A LOOK TO THE OUT-YEARS

The six performance measures of this plan capture the core functions of the SEO and will likely be the standard of measured performance for many years. The FY21-22 budget includes the first two years of the strategic planning process with more detail. The remaining two years of the strategic planning process gives agencies the opportunity to share some thoughts for anticipated events in the future. The SEO view of the out-years includes the following activities:

- Conjunctive management of groundwater and surface water sources.
- Continued guarding against the exploitation of groundwater sources without regard to aquifer sustainability through safe yield.
- Continued guarding of Wyoming's water interest in relation to interstate water compacts and decrees.
- Continued management of water supplies for oil and gas development, including implementation of the Governor's Energy Strategy initiatives.
- Strengthening Interstate Stream relationships.
- Enhancing and maintaining e-Permit to provide our users with a fully functioning user friendly environment.
- Participating in state and federal coordination meetings covering threatened and endangered species such as fish in the Colorado River Basin, birds on the North Platte River Basin, and sage grouse throughout Wyoming.
- Fully scanning all agency paper, mylar, and microfilm records so they are accessible in electronic form and available on e-Permit.
- Developing alternative means for establishing consumptive use determinations in lieu of data from the National Agricultural Statistic Services on the Upper Colorado River Basin and on the North Platte River Basin.
- Developing and creating updated tab books displaying water rights within each water division using enhanced e-Permit functionality

The Colorado River system is experiencing one of the most significant drought cycles experienced in hundreds of years. As no one protects Wyoming's interest like Wyoming, it is critical that we continue to adequately participate in river basin compact commissions and other river basin or regional organizations. There is a growing trend toward negotiated or facilitated settlements of water resources issues. While these negotiations are preferable over litigation from a monetary standpoint, they are just as time intensive for the SE and the ISD. In situations where a downstream state refuses to negotiate, such as Montana's lawsuit on the Tongue River systems, Wyoming will vigorously defend its right to use water.

VII. REFERENCE: STATUTORY AUTHORITY

Article 8 of the Wyoming Constitution established the Office of the State Engineer and the Board of Control.

- Article 1, Section 31 - Control of Water
- Article 8, Section 1 - Water is State Property
- Article 8, Section 2 - Board of Control
- Article 8, Section 3 - Priority of Appropriation
- Article 8, Section 4 - Water Divisions
- Article 8, Section 5 - State Engineer

Title 41 of the Wyoming Statutes further defines the authorities of this agency as described below:

- W.S. 41-3-101 through 1014 Water Rights; Administration and Control
- W.S. 41-4-101 through 517 Board of Control; Adjudication of Water Rights
- W.S. 41-5-101 through 203 Irrigation Generally

Authorities for the **Wyoming Board of Registration for Professional Engineers and Professional Land Surveyors** are as follows:

- W.S. 33-29-201 through 801 Practice Act
- W.S. 33-29-901 through 910 Wyoming Corner Perpetuation and Filing Act

Authorities for the **Wyoming State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors** are as follows:

- W.S. 33-42-101 through 117 Practice Act