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STATE ENGINEER'S OFFICE

STATE OF WYOMING

PART II

GROUND WATER

CHEYENNE, WYOMING

REVISED JANUARY 1974

Rules and Regulations

STATE ENGINEER'S OFFICE

State of Wyoming

I certify that the copy hereto attached is a true copy of the rules of the
State Engineer's Office

relating to the revision of the State Engineer's Manual of Regulations and Instructions, Part II, in accordance with Sections 9-276.19 through 9-276.24, Wyoming Statutes 1957; and that the original rules are on file in this department. This revision shall supersede and replace all other rules previously filed.

Prior to adoption, these rules were made available for public inspection on the 13th day of February 1974.

The effective date of the attached rules is 20 days after filing by the Secretary of State as indicated by the authenticating file stamp.

Signed this 28th day of February, 1974.


FLOYD A. BISHOP
State Engineer

STATE OF WYOMING 1 05
Filed the 5th day of March
19 74 at 2:35 P.M.
Secretary of State


Approved as to Authority and Substance
Officer of the Attorney General

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STATE ENGINEER'S OFFICE

GROUND WATER

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CHAPTER I.

GENERAL INFORMATION

Section 1. Authority. All water within the State of Wyoming is the property of the State of Wyoming. The Wyoming State Engineer is charged by the Wyoming Constitution with the administration of all waters within the State. Specific statutory authority for the administration of Wyoming ground water by the State Engineer is provided by Section 41-121 through Section 41-147, Wyoming Statutes 1957, as amended by Chapter 213, Session Laws of Wyoming 1969, and Chapter 171, Session Laws of Wyoming 1973.

Section 2. Definition of Underground Water or Ground Water. The terms underground water and ground water are used interchangeably and will have the same definition. Ground water means any water, including hot water and geothermal steam, under the surface of the land or the bed of any stream, lake, reservoir, or other body of surface water, including water that has been exposed to the surface by an excavation, such as a gravel pit or some type of mining operation.

Section 3. Communications. Address all communications concerning the right to the use of ground water to the Ground Water Section, State Engineer's Office, State Office Building, Cheyenne, Wyoming 82002.

Section 4. Information Requests Concerning Existing Ground Water Rights. Requests for information concerning existing ground water rights should be accompanied by the legal description of the well location, the name of the appropriator, if known, and any other pertinent information which might be of value in researching the records of the State Engineer's Office.

Section 5. Who is Required to File. Any individual, company or corporation or other entity that intends to beneficially utilize ground water must obtain an approved permit from the State Engineer before commencing construction, including test holes, on any ground water development.

In cases where a well has been drilled for some purpose other than to obtain water, and is then converted or utilized as a water well, a permit approved by the State Engineer must be obtained before the water from the well is beneficially used.

Section 6. Availability of Forms. Application forms for new ground water developments (Form U.W. 5) and application forms for the registration of stock and/or domestic wells completed prior to May 24, 1969 (Form U.W. 7) may be obtained from the State Engineer's Office in Cheyenne, from the County Clerk's Office in each County Courthouse, and the local Water Commissioner. All commencement, completion and proof of appropriation forms will be sent to the applicant by the State Engineer's Office after the application is approved.

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Section 7. Fees. All fees must be paid in advance. All remittances are to be made payable to the State Engineer, except those remittances that are submitted to cover adjudication costs, which are to be made payable to the Wyoming State Board of Control. Remittances should be by currency, bank draft, post-office or express money order, or check and should be transmitted with the application or letter.

Section 8. Fee Schedule. The following fees are required for filing instruments in the State Engineer's Office:

- a. Each application of any type \$ 2.00
- b. For recording any other instrument:
 - (1) First Sheet \$ 2.00
 - (2) Each subsequent sheet \$ 1.00

The following fees are required for filing instruments in conjunction with the adjudication of a ground water right by the State Board of Control:

- a. Each final proof \$ 2.00
- b. Advertising fee for each final proof \$10.00
(Any portion of this fee which is not used will be returned to the permittee. If the fee exceeds \$10.00, the appropriator will be required to submit the additional fee to the State Board of Control.)
- c. For recording any other instrument:
 - (1) First Sheet \$ 2.00
 - (2) Each subsequent sheet \$ 1.00

Section 9. Miscellaneous Charges.

- a. For making prints of maps on file:
 - (1) "B" size map \$.50
 - (2) "D" size map \$.75
 - (3) Township plat (linen) \$.75
 - (4) "E" size map \$ 1.00
 - (5) "F" size map \$ 1.50
 - (6) Minimum charge (any map) \$.50

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- b. For making photocopies of records:
 - (1) First sheet..... \$ 2.00
 - (2) Each subsequent sheet..... \$ 1.00
 - (3) Each certificate..... \$ 1.00
 - (4) Maps and other matter..... Commercial rates
- c. For making microfilm copies of records:
 - (1) Each processed sheet..... \$.50
- d. For making Xerox copies:
 - (1) Each sheet..... \$.10

Section 10. Time Limits. The permittee will be given one (1) year from the date the application is approved to commence construction on any ground water development and shall complete the construction and apply the water to beneficial use before December 31 of the year following the year in which the application was approved.

Section 11. Extensions of Time. If compliance with the time limits set forth in the permit for commencement, completion or application of the ground water to beneficial use cannot be met, the permittee may request that the State Engineer grant an extension of time. Such requests must be in writing, setting forth in detail the reasons for the requested extension of time, and must be received in the State Engineer's Office prior to the expiration dates set forth in the permit.

Section 12. Priority of Ground Water Rights. The priority of appropriation of ground water where the well was constructed prior to April 1, 1947, and the statement of claim was properly filed in the State Engineer's Office prior to March 1, 1958, shall date from the date of completion of the well. Such rights are recorded in the State Engineer's Office as Statements of Claim. The priority of appropriation of ground water where the well was constructed after April 1, 1947, but prior to March 1, 1958, and the well was properly registered in the State Engineer's Office prior to March 1, 1958, shall date from the date the water right was filed in the State Engineer's Office. Such rights are recorded as Well Registrations.

The priority date for stock and/or domestic wells completed prior to May 24, 1969 and properly filed in the State Engineer's Office on or before December 31, 1972, shall be the date the well was completed. Stock and/or domestic wells completed prior to May 24, 1969 and filed with the State Engineer's Office after December 31, 1972, shall receive the date of filing as the priority date of the water right.

The priority date of all other ground water rights, shall be the

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date the application to appropriate ground water is received and filed in the State Engineer's Office.

Section 13. Well Spacing. Due to the extremely variable nature of the geologic conditions within the State of Wyoming, no absolute well spacing requirements have been developed except those outlined in Chapter IX of this Manual. If well locations are such that unreasonable interference between wells develops, the water rights will be administered on the basis of priority. If well locations are such that interference between surface water flows and ground water withdrawals develop, the priorities of ground water rights will be correlated with surface water rights and regulated accordingly. (See Section 17 of this Chapter for further details.)

Section 14. Adjudication. The process of adjudication finalizes a water right. It fixes the amount of the appropriation and the point(s) or area(s) of use. The adjudication procedure for ground water rights is found in Chapter II, page 11.

Section 15. Division Advisory Committees on Ground Water. In each of the State's four Water Divisions, a Division Advisory Committee on ground water has been established. Each Division Advisory Committee consists of three individuals who reside within the Water Division and who are appointed by the Governor for 6-year terms. The function of the Division Advisory Committee on ground water is to advise the State Engineer and State Board of Control on matters relative to ground water development in their respective Water Division and to call and supervise the election of Control Area Advisory Boards.

Section 16. Control Areas. The Wyoming State Board of Control has the authority under Section 41-129, Wyoming Statutes, 1957 as amended by Chapter 171, Session Laws of Wyoming 1973, to designate Control Areas for the following reasons: (a) The use of ground water is approaching the current recharge rate; (b) Ground water levels are declining or have declined excessively; (c) Conflicts between water users are occurring or may occur; or (e) Other conditions exist or may arise that require regulation for the protection of the public interest. The designation of a Control Area serves three primary purposes: (a) It provides a mechanism to slow development so as to insure that prior, established ground water rights are protected and not subjected to interference problems; (b) It provides for the election of a Control Area Advisory Board comprised of 5 people living within the Control Area to advise and assist the State Engineer in formulating policies concerning ground water development in the Control Area; and (c) It provides a means by which regulation of the use of ground water can be developed and implemented should the situation warrant it.

The procedure for establishing a Control Area is as follows:

a. Whenever the State Engineer has reason to believe that a Control Area should be established, for any or all of the reasons set forth in paragraph 1 of this Section, it is his duty to make a written report

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to the State Board of Control setting forth the reasons why the establishment of a Control Area is necessary.

b. The State Board of Control will then designate a time and place to hold a public hearing to afford interested persons an opportunity to present evidence.

c. After the public hearing is held and the testimony is evaluated and considered, the State Board of Control will issue an Order to either designate a Control Area or reject the designation of a Control Area.

d. If a Control Area is established, an election is held to elect the Control Area Advisory Board. At this time, the appropriate Water Division Superintendent will also proceed with the adjudication of all ground water rights within the designated Control Area.

e. Following the adjudication of the ground water rights in the Control Area, the State Engineer, with the advice of the Control Area Advisory Board and the Division Advisory Committee on Ground Water, may establish such controls and regulations as he deems necessary.

Any decision by the State Engineer or State Board of Control can be appealed to the courts as outlined in Section 23 of this Chapter.

The application procedure to obtain a ground water right in a Control Area is set out in Chapter II, Section 5, Page 9.

Section 17. Interference Complaints. Any appropriator of either surface or ground water may file a written complaint alleging interference with his water right by a later priority ground water right. Complaints are to be filed with the State Engineer and must set out in detail the facts pertinent to the situation. Each complaint is to be accompanied by a fee of \$100 to help defray the cost of the investigation. Upon receiving the complaint and fee, the State Engineer shall undertake an investigation to determine if the alleged interference does exist.

Following the investigation, the State Engineer will issue a report stating his findings and suggestions on various means of stopping, rectifying or ameliorating the interference or damage.

ANY INTERESTED APPROPRIATOR WHO IS DISSATISFIED WITH THE RESULTS OF THE FOREGOING PROCEDURE MAY PROCEED UNDER THE APPLICABLE PROVISIONS OF THE WYOMING ADMINISTRATIVE PROCEDURE ACT. IF A HEARING IS TO BE HELD, IT SHALL BE HELD BEFORE THE APPROPRIATE DIVISION SUPERINTENDENT. THE DIVISION SUPERINTENDENT SHALL REPORT TO THE BOARD OF CONTROL AT ITS NEXT MEETING. THE BOARD SHALL ISSUE ITS ORDER TO INCLUDE FINDINGS OF FACT AND CONCLUSIONS OF LAW.

NOTE: This section is not applicable to interference between two surface water rights.

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Section 18. Interstate Use of Ground Water. Ground water may be utilized outside the boundaries of the State of Wyoming, provided certain conditions are met. These conditions include: (a) specific authorization by the Legislature of the State of Wyoming to utilize the ground water outside the boundaries of the State of Wyoming, and (b) the State in which the ground water is to be utilized must grant reciprocal rights for the use of ground water in the State of Wyoming.

Section 19. By-Product Water. By-product water is water which is a by-product of the activities of some nonwater-related economic activity, such as oil well separator systems, dewatering of mine areas or waste water from mines. If the water produced as a result of such activities is to be beneficially used in any manner, an application for a permit to appropriate water must be filed with and approved by the State Engineer before the water can be put to beneficial use.

The by-product water may be filed on by ground water procedures if (a) the water is intercepted while it is readily identifiable and has not yet commingled with other water, and (b) an agreement accompanies the application which has been signed by the developer-grantor of the by-product water and the applicant-grantee which sets forth any provisions for the reservation of the water for use by the developer-grantor.

The granting of such a water right for the use of by-product water does not imply that the developer-grantor of the water must maintain or provide the historic, or any, amount of by-product water to the applicant-grantee and the water right is subject to any agreement made between the developer-grantor and the applicant-grantee. In all other cases in which conditions (a) and (b) are not met, an application to appropriate by-product water shall be governed by the laws pertaining to surface water.

The procedure for filing on by-product water as ground water is found in Chapter II, Section 6, Page 10.

Section 20. Geothermal Steam and Hot Water. Geothermal steam and hot water are considered ground water for the purpose of administration. A permit to appropriate ground water must be obtained from the Wyoming State Engineer to explore for or before geothermal steam or hot water can be utilized. Anyone contemplating the development of geothermal steam or hot water should contact the State Engineer's Office for additional information.

Section 21. Springs. Filing as Ground Water Developments. Springs, where the total yield or flow is 25 gallons per minute or less and where the proposed use is for stock and/or-domestic purposes, may be filed in accordance with the procedures for appropriating ground water.

NOTE: In addition to the above requirements, some type of artificial development such as collection boxes, cribbing, etc., must be employed or proposed before an application to appropriate the water from a spring will be considered a valid appropriation. The water from a

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spring must be diverted in some manner to the point(s) or area(s) of use or storage.

The procedure for filing an application to appropriate water from a spring meeting the above requirements is found in Chapter II, Section 7, Page 11.

Section 22. Waste Disposal Wells. A permit must be obtained from the Wyoming State Engineer and the Wyoming Oil and Gas Conservation Commission before construction of any well used for the subsurface injection of waste materials may commence. Detailed geologic, hydrologic and chemical information must be provided before any waste disposal well application will be considered. Anyone contemplating the construction of a waste disposal well should contact the Wyoming State Engineer's Office concerning the types of information which will be required.

Section 23. Appeals. Any person aggrieved by an Order of the Wyoming State Board of Control or of the State Engineer concerning ground water, or by their or his failure to act, may appeal in the manner provided by Section 41-126 of the statutes, and the Wyoming Administrative Procedure Act.

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CHAPTER II

PROCEDURES AND GENERAL INSTRUCTIONS FOR OBTAINING A
GROUND WATER RIGHT

Section 1. Authority. Section 41-138, Wyoming Statutes 1957, as amended by Section 6, Chapter 213, Session Laws of Wyoming 1969, provides that an application must be submitted and a permit secured from the State Engineer before any ground water diversion (including test holes for a larger well) is constructed. If any well constructed for any other purpose is found to be suitable for the withdrawal of ground water, a permit must be obtained before the water is utilized.

Section 2. Acquisition Procedure. The following steps briefly outline the necessary procedure for obtaining a ground water right:

a. An application must be submitted to the State Engineer's Office, accompanied by the legally required Two Dollar (\$2.00) filing fee. A separate application is required for each well.

b. Upon receipt in the State Engineer's Office, the application will be reviewed. If there are any questions to be resolved, the applicant or his agent, if any, will be contacted. If the requested information is not submitted within 90 days of the date the information is requested, the application will be submitted to the State Engineer for rejection. The applicant will be notified by certified mail before the application is rejected.

c. When in proper form, the application is approved by the State Engineer, and becomes a ground water permit. The permit is assigned a number, and a copy of the approved permit is returned to the applicant (permittee). An application for a permit in any area not designated as a control area, shall be granted as a matter of course, if the proposed use is beneficial and would be in the public interest.

d. The permittee should read and understand all limitations on the approved permit. Besides the standard limitations printed on the permit and inherent under the law, additional limitations deemed necessary by the State Engineer may be added prior to approval of the permit.

e. The permittee is required to submit written notification to the State Engineer's Office of the date the well is commenced; the date it is completed, with pump or valve; and the date the water is beneficially used for the purposes specified in the permit. The permittee is also required to submit information on water levels, a driller's log, and other pertinent data relating to the well.

f. For all wells, with the present exception of strictly domestic and/or stock wells, a map certified by a licensed professional engineer or land surveyor, must be submitted at the time the Proof of Appropriation and Beneficial Use of Ground Water form is submitted. This map and

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other required notices will form the basis for adjudication of the water right. See Chapters V and VI for mapping requirements.

Section 3. General Requirements for Application and Registration Forms. Application or registration forms must not be folded or defaced either by crossing out or erasing printed matter, or by pasting sheets of paper over the printed matter. Applications and registrations should be typed or completed neatly with black ink. If the form does not allow for proper explanation of a proposed appropriation or registration, do not cross out printed matter, but make an explanatory note in the space provided for "REMARKS". All applications or registrations must be signed and dated by the applicant or his authorized agent.

If the application is in the name of a company, corporation, municipality or other entity, the title of the person signing the application must be provided directly behind or below the signature.

Section 4. Applications for New Wells. An application, Form U.W. 5 -- "Application for Permit to Appropriate Ground Water", must be filed, and a permit secured from the State Engineer, before initiating construction of any well or other works which would utilize ground water, including domestic and/or stock wells. An approved permit must also be obtained when a well is completed for any non-water related activity (i.e. mineral exploration, seismograph, etc.) and is then converted so that water can be withdrawn and beneficially used. The application for permit must be completed by the applicant or his authorized agent, and submitted to the State Engineer's Office with the legally required Two Dollar (\$2.00) filing fee.

Section 5. Application for Permit to Appropriate Ground Water in a Control Area. The procedure for obtaining an approved Permit to Appropriate Ground Water in a Control Area for any use other than domestic and/or stock watering purposes consists of the following steps:

a. An "Application to Appropriate Ground Water" must be filed in the State Engineer's Office.

b. The application is then processed by the ground water staff of the State Engineer's Office.

c. After the application is filed and processed, it is advertised for three (3) consecutive weeks in a newspaper of general circulation in the area where the well is to be located. The advertising procedure provides notice to other appropriators holding existing ground water rights that a ground water development is proposed and it affords them with an opportunity to voice valid objections to the granting of a permit for the proposed development.

d. Consideration of the application by the Control Area Advisory Board and any objections filed to the granting of the permit follows the advertising. If the Control Area Advisory Board desires additional information, the applicant, and if a protest has been filed, the protes-

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tant, will be invited to appear informally and discuss the matter before the Board. The Control Area Advisory Board then submits its recommendation to the State Engineer, either for approval or to hold the application until it is known that there is ground water available within the Control Area which has not been appropriated.

e. The State Engineer, acting with the knowledge of and the advice and recommendations of the Control Area Advisory Board, will then take the application under consideration. If it is determined valid protests to the granting of the permit have been filed, the State Engineer must hold a public hearing. If no protests have been filed, or if protests have been filed and a public hearing has been held, and the State Engineer determines that there is ground water available in the Control Area, he may issue a Permit. If the State Engineer determines that there is no ground water available which has not been previously appropriated within the Control Area, and determines that additional new development would have a detrimental effect on other established appropriators, he may refuse to grant a Permit.

Section 6. Application for the Appropriation of By-Product Water. The appropriation of by-product water by ground water procedures (see Chapter I, page 6, for qualifications) is to be filed on the "Application for Permit to Appropriate Ground Water" (Form U.W. 5). Some modification of various items on the application form will be necessary, depending on whether oil and gas activities or various methods of mining are resulting in the production of such by-product water. If a well drilled for some non-water related activity is converted to use as a water well, the application will not need any modification.

If the by-product water is to be appropriated by someone other than the developer of by-product water, a copy of the executed agreement between the developer-grantor and the applicant-grantee must accompany all applications to appropriate by-product water using ground water procedures.

a. In the case of oil well separators, the number of producing oil wells tied to the separator and the formation(s) from which they are producing must be given in the "REMARKS" portion of the application. The location of the separator is required as are the point(s) or area(s) of use. Immediately following Item No. 6 on the application form (the proposed depth of the well), it must be noted that the facility is an oil well separator.

b. When by-product water resulting from underground mining activities is to be appropriated, the location of the mine sump and the point(s) or area(s) of use must be shown on the application form. It should be noted in the "REMARKS" portion of the application that underground mining is involved. Some modification of Item Nos. 6 and 7 on the application form will be necessary.

c. When by-product water from open-pit mining activities is to be appropriated, the State Engineer may waive the specific 40-acre location

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requested in No. 5 on the application form. In lieu of the specific 40-acre location, the applicant will be required to specify the boundaries within which the open-pit mining is to take place and also provide an estimate of the time schedule for the mining operation.

If the application is granted and a permit issued, an annual report will be required giving the progress of the mining operation, the present location of the open-pit and the present area(s) or point(s) of use. In addition to these items, the State Engineer may impose any other conditions and/or limitations he deems necessary to administer such appropriations of by-product water.

Section 7. Application for the Appropriation of Spring Water. The appropriation of spring water by ground water procedures (see Chapter 1, page 6 for qualifications) is to be filed on the "Application for Permit to Appropriate Ground Water" (Form U.W. 5). All of the requested information must be provided. The fact that a spring is to be developed and the proposed method of development must be noted in the "REMARKS" portion of the application.

Section 8. Application to Deepen an Existing Well. Form U.W. 6-69, "Application to Deepen an Existing Well", should be submitted prior to deepening a recorded well when the yield will not be increased above the original appropriation and when the use or uses will not be changed. The form is self-explanatory, and any unknown information can be obtained from the original Permit and Statement of Completion. The present depth and proposed depth must be shown, and the reason for deepening the well explained. The form must be signed and dated by the applicant.

Section 9. Registration of Stock and/or Domestic Wells Completed Prior to May 24, 1969. Domestic and stock wells completed prior to May 24, 1969, may be registered with the State Engineer on Form U.W. 7 -- "Statement of Completion and Description of Well". Such registration is not compulsory; but in cases of conflict between water users, registration will be required to show priority dates and information on well construction. All existing domestic or stock wells which were properly registered prior to December 31, 1972, will have a priority as of the date of completion of the well. Existing wells registered after December 31, 1972, will have a priority as of the date of filing with the State Engineer's Office. Each well must be filed on a separate form, and the Two Dollar (\$2.00) filing fee must accompany each registration.

Section 10. Adjudication Procedure. The adjudication or "finalization" of a ground water right is the final step in the perfection of a ground water right. The purpose of adjudication is to establish and fix the amount of the appropriation, the use(s) to which the water can be applied and also the point(s) and/or area(s) of use.

The adjudication procedure involves the following steps:

- a. An approved "Permit to Appropriate Ground Water" must be ob-

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tained from the State Engineer before any type of water well construction can commence.

b. Following completion of the well, a "Statement of Completion and Description of Well" form must be completed and submitted to the State Engineer's Office.

Steps (a) and (b) are required for all wells. The adjudication procedure starts after the water is put to beneficial use and is presently required for all ground water rights except those being utilized for domestic and/or stock purposes.

c. The third step involves three parts. Part I is the submission of the "Proof of Appropriation and Beneficial Use of Ground Water" (Form U.W. 8) which indicates that the water has been applied to all the beneficial uses for which the water was appropriated.

Part II is a linen plat, or in certain instances, a quadrangle map, certified by an engineer or land surveyor licensed to practice within the State of Wyoming must accompany the Form U.W. 8. If a linen plat must be prepared, it must show the exact location of the well by bearing and distance from a known public land survey corner, and the exact location(s) or the point(s) or area(s) of use. If circumstances warrant the use of a quadrangle map, the location of the well and the point(s) or area(s) of use must be shown and clearly identified on the quadrangle map. Further information concerning the mapping requirements is found in Chapter V.

Part III is a field inspection. After the linen plat or quadrangle map and the "Proof of Appropriation and Beneficial Use" have been submitted to the State Engineer's Office, a representative of the State Engineer conducts a field inspection of the development to insure the accuracy of the plat or map and to measure the exact yield of the well. The field representative will collect pump and motor data (serial numbers, horsepower, size, etc.) at this time and also the legally required fees. (See Chapter 1, Section 8.)

d. Following the field inspection, the final proof will be advertised in a newspaper of general circulation within the county in which the well is located. This is to provide other appropriators with the opportunity to submit valid protests to the adjudication of the water right.

e. The final proof is then submitted to the Board of Control for their consideration. If the water right is approved by the Board of Control for adjudication, an Order is entered and a Certificate is issued, giving the permit number, appropriator's name, address, the name and location of the facility, the use(s) to which the water is to be applied, the point(s) or area(s) of use and the priority date.

If a protest to the adjudication of a ground water right is filed, a public hearing is held by the appropriate Water Division Superintendent for the purpose of providing all interested persons with an opportunity to be heard. Following the hearing, the Board of Control will

PART II.

issue an Order either approving or rejecting the adjudication of the water right. Anyone dissatisfied with a decision of the Board of Control has the right of appeal to the Courts as outlined in Chapter 1, Section 23, Page 7.

f. After the Certificate of Appropriation has been issued by the Board of Control, it is sent to the County Clerk of the county in which the well is located to be recorded and is then forwarded to the appropriator. A permanent record of the Certificate of Appropriation is also kept on file in the office of the Board of Control in Cheyenne.

Section 11. Acceptance of Completion and Beneficial Use Forms.

a. The general requirements for application and registration forms (see Section 3 of this Chapter) also apply to "Statement of Completion and Description of Well" forms (Form U.W. 6 and U.W. 7) and "Proof of Appropriation and Beneficial Use of Ground Water" (Form U.W. 8). All forms will be examined by the State Engineer's Office, and if found to be acceptable, will be considered for approval. If a "Statement of Completion and Description of Well" form or a "Proof of Appropriation and Beneficial Use of Ground Water" form is not complete, or it is defective in some way, the permittee will be requested to provide the information necessary to place the document in proper order. If necessary, the form will be returned to the permittee by certified mail for correction. The reasons for such return and the time allowed to make the necessary corrections (usually 90 days) shall be stated by letter accompanying the form. If the form is not returned to the State Engineer within the specified time period, or if the permittee fails to furnish the requested written information, the permit may be cancelled. The permittee may request additional time to make such corrections, explaining why such an extension is required. A written request for an extension of time must be received in the State Engineer's Office before the expiration of the time period.

b. If Part I of a "Proof of Appropriation and Beneficial Use of Ground Water" form (Form U.W. 8) is received in acceptable condition, but without Part II, the required map, a period of 6 months will be allowed to submit the map. The information submitted on Form U.W. 8 and the map will be used as a basis for the adjudication of the ground water right.

Section 12. Certificates of Ownership. The Certificate of Ownership provides proof of land ownership for the purpose of adjudication. The Certificate of Ownership is usually a Certificate from the County Clerk, but it could be some other document such as, a copy of the warranty deed or land contract. If the lands involved are being purchased by the appropriator, a consent to the adjudication must be submitted by the sellers when the final proof is submitted. If the ownership is joint in nature, all co-owners must either join in as co-appropriators or consent to the adjudication.

When all or part of the lands involved are owned by a federal agency,

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some written documentation authorizing access to the lands (i.e., special use permit, lease, etc.) must be provided. If the lands involved are State of Wyoming lands, both the names of the appropriator-lessee and the State of Wyoming-lessor will appear on the final proof.

In some cases where ground water has been appropriated for industrial use (i.e., secondary recovery operations, mineral exploration or mineral development) a copy of the executed mineral lease or those portions of the executed Unit Agreement which describe the land(s) involved will serve as a Certificate of Ownership.

Section 13. Water for Temporary Purposes.

a. Methods of Acquisition. The right to divert or store water for temporary purposes, including highway or railroad roadbed construction or repair, drilling and producing operations, etc., can be acquired by following the same procedures as for other uses or by complying with the provisions of Sections 41-10.1 and 41-10.2, Wyoming Statutes 1957 (Laws 1959), as amended by Sections 1 and 2, Chapter 193, Session Laws of Wyoming 1971.

b. Application for Permit.

(1) If a right is to be acquired by submitting an application for a permit to the State Engineer, the procedure followed is generally the same as for filing applications for permits for other uses.

(2) The priority of a right filed for these temporary purposes is the date the application for a permit is accepted in the State Engineer's Office.

(3) Such a right is issued only for a limited time, generally only long enough to complete the temporary use, after which the permit is automatically cancelled.

c. Temporary Acquisition of an Existing Right.

(1) A second means of acquiring the right to the use of water for these various temporary purposes is by following the provisions of Sections 41-10.1 and 41-10.2, Wyoming Statutes 1957 (Laws 1959), as amended by Sections 1 and 2, Chapter 193, Session Laws of Wyoming 1971. This legislation authorizes the temporary acquisition of an existing adjudicated or valid unadjudicated water right, not to exceed a two-year period of time, for temporary use in connection with highway or railroad roadbed construction, drilling and producing operations, or other temporary purposes.

(2) In order to make such temporary change in use, it is necessary that a written agreement between the temporary user of the water and the owner of the water appropriation be filed with the State Engineer.

(3) In the case of temporary use of water for highway con-

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struction, the law requires that the agreement be between the Wyoming State Highway Department and the owner of the water appropriation. When County highways and private roads are involved, the Agreement is to be between the contractor and the owner of the water appropriation.

(4) This agreement must identify the water right to be utilized to supply water for the temporary use, its source of supply, priority, the amount of appropriation, point of diversion, and the amount of water to be diverted by such temporary use.

(5) Agreement forms for temporary highway use are available from the Wyoming Highway Department through the Highway District or Resident Engineer, and are self-explanatory. Agreement forms for other temporary uses are available from the State Engineer's Office and the local Water Commissioners.

(6) A sketch map must accompany the agreement showing the location of the well, the record point of diversion, the temporary users point of diversion, a general layout of the system, and the point where the temporary use will be made. It is suggested that U.S.G.S. Quadrangle maps, or the county maps produced by the Wyoming Highway Department or any other good reliable map of the area involved should be used as a basis for the required map.

(7) A notation should also be placed on the sketch map or accompanying the map, describing generally how the water will be diverted, the maximum rate of diversion, and a description of the general system.

(8) A sample map on page 49 shows the required information for temporary highway use. A sketch map for other temporary uses should incorporate the same general information as shown on the sample highway map.

Section 14. Assignment of Permit. When a permit or an interest therein is transferred or assigned, the assignment should be recorded in the office of the State Engineer. All water rights will generally attach to the land or point of use, except in instances where the water right is specifically reserved at the time the permit is issued.

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CHAPTER III.

INSTRUCTIONS FOR PREPARING GROUND WATER FORMS

Section 1. General Requirements for All Forms. All ground water forms become permanent records in the State Engineer's Office. Forms should be typed or lettered neatly with black ink. Forms should not be folded nor should they be defaced by crossing out or erasing printed matter. A copy of the approved permit will be returned routinely and a copy of all other forms will be returned to the applicant (permittee) or his agent, if requested in writing, after approval. Examples of the completed forms described hereafter are shown in Chapter IV.

Section 2. Application for Permit to Appropriate Ground Water, (Form U.W. 5). An application for a permit to construct a well or other ground water diversion facility, must be submitted on Form U.W. 5. The Temporary Filing No., Permit No., Water Division No., District, and U.W. District will be entered when the form is processed in the State Engineer's Office. The remainder of the form should be completed by the applicant as follows:

a. NAME AND NUMBER OF WELL --A short, distinctive name and number must be assigned to the well or other facility; for example: "Smith No. 1".

b. ITEM 1 -- "Name__ of applicant(s)" -- Include all parties having an interest in the application. All parties designated as landowners under Items 10 and 11, must be shown as co-applicants, or an easement or right-of-way agreement must be submitted with the application.

(1) If the well is to be located on State Lands or if the lands proposed to be irrigated, or on which other beneficial use of water is to be made are State Lands, the State Board of Land Commissioners, State Capitol Building, Cheyenne, Wyoming, 82002, must be named as co-applicant.

c. ITEM 2 -- "Address of applicant(s)" -- Give the respective mailing address of each applicant.

d. ITEM 3 -- "Name & address of agent to receive correspondence and notices . . ." -- If the applicant is a company, corporation, agency, or municipality, or if several parties are named as co-applicants, one person should be designated as agent to receive correspondence.

e. ITEM 4 -- "Use to which the water will be applied" -- Mark the use or uses to which the water will be applied.

(1) Irrigation use is the irrigation of any lands for agricultural purposes not covered by the definition of domestic use.

(2) Municipal use is ground water used within a municipality.

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(Ground water provided to non-municipal subdivisions, trailer courts, etc., from private wells is not considered to be municipal use.)

(3) Industrial use includes ground water used in oil field secondary recovery operations, industrial processing and mining.

(4) Domestic use includes household use and the watering of lawns and gardens for noncommercial family use where the area to be irrigated does not exceed one (1) acre.

A well may supply water to more than one, single family dwelling and still be considered a domestic use provided that:

(a) The yield of the well does not exceed twenty-five (25) gallons per minute;

(b) The total area of lawns and gardens to be watered does not exceed one (1) acre in areal extent;

(c) No charge, hidden or otherwise, is levied for the use of the water;

(d) The water is not used in conjunction with a commercial endeavor.

(5) Stock watering is the normal watering of livestock. If feedlot operations are involved, the use should be designated as "Miscellaneous" and then described in detail in the application.

(6) Miscellaneous uses consist of any other ground water uses not previously described. This would include, but is not limited to, use of water for trailer courts, campgrounds, churches, schools, temporary drilling or other temporary industrial purposes, apartment houses, automobile service stations, motels and subdivision developments with a common well. NOTE: If the use is described as "Miscellaneous", the use must be described completely and accurately. (Any use not described at the time of filing will be assigned a new date of priority when the adjudication field inspection is made.)

f. ITEM 5 --"Location of the well:" --Name the county in which the well is to be located. Designate the 40-acre subdivision or lot in which the well will be located, and the section, township and range. If the well is to be in a city, town, or platted subdivision, give the lot and block numbers, the name of the subdivision and its location. An example is "Lot 9, Block 6, of the North Hills Subdivision, of Laramie County, NE ¼ NE ¼ Section 23, T.18N., R. 69W., of the 6th P.M., Wyoming."

NOTE: A well cannot be located outside the 40-acre tract specified in the application without prior approval by the State Engineer.

g. ITEM 6 -- "Estimated depth of the well is" -- Complete

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the blank space to show approximate planned depth.

h. ITEM 7 -- “MAXIMUM quantity of water to be developed and beneficially used:.....”-- Estimate the maximum amount of water that could be used.

(1) The actual amount, determined after the well has been drilled and tested, must be equal to or less than the amount listed in Item 7. The actual amount will be reported on the Statement of Completion and Description of Well form. If the amount of water to be used exceeds the amount listed in Item 7 of the application, an enlargement application must be filed and approved before the additional water can be used.

(2) If the application is for domestic and/or stock use, the maximum amount allowed by statute is 25 gallons per minute.

(3) Only springs flowing 25 gallons per minute or less, where the proposed use is domestic or stockwatering, will be considered as ground water appropriations.

i. ITEM 8 -- "If for irrigation use," -- The appropriate box must be checked.

(1) If the land will be irrigated only from the well described in this application, no further notation is needed.

(2) If the land has existing water rights, these rights should be described under “REMARKS”.

j. ITEM 9 -- “If for irrigation use, describe MAXIMUM acreage to be irrigated.....”-- Describe the number of acres to be irrigated in each 40-acre subdivision. If the actual acreage irrigated when the well is put in production exceeds the amount shown in Item 9 of the application, an enlargement application must be approved before the additional acreage can be irrigated. Designate ownership of land; federal, State, or private. If private, give names of owners.

(1) If the lands are owned by more than one party, indicate which lands are owned by each individual.

(2) If part of the lands are owned by the State and/or federal Government, indicate which lands are owned by the applicant or applicants and which are administered by governmental agencies.

k. ITEM 10 --This item is self-explanatory.

l. ITEM 11 -- The type of irrigation-sprinkler, flood, etc., is to be described.

m. ITEMS 12 and 13 – These items are self-explanatory. Any unusual situation must be explained under “REMARKS”.

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n. REMARKS --This space is provided for any statement or unusual circumstances peculiar to the application, or if a more complete explanation is needed for certain items. Details of industrial or any other uses should be explained in this section. Water rights or reservoirs that will be used in conjunction with this new ground water supply, if any, must be listed here also. Details of the construction used to develop a spring must be listed here.

o. THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION --A Two Dollar (\$2.00) filing fee is required for each application. An application cannot be accepted for filing unless it is accompanied by this fee.

p. SIGNATURE --The application form must be signed and dated. Only an applicant or his agent may sign the form. If the well is owned by more than one individual, only one need sign. If a company, corporation, agency, or municipality, is named as applicant, a designated official of the organization must sign. The official's title or agent's title should be noted behind or under the signature.

Section 3. Statement of Completion and Description of Well. (Form U.W. 6). Form U.W. 6, "Statement of Completion and Description of Well", is required by law to be submitted within 30 days after completion of the well, including pump or (in the case of a flowing artesian well) control valve. Most of the items are self-explanatory. The Permit No., Name of Well, Book No., Page No., and Name (s) and address (es) of the applicant (s) will be completed in the State Engineer's Office before the form is sent to the permittee. Other items should be completed as follows:

a. ITEMS 1 through 3 -- These items should be shown as they are shown on the original permit unless ownership has been changed. An explanation of any ownership changes should be provided.

b. ITEM 4 -- "LOCATION OF WELL" -- The location of the well within the 40-acre subdivision should agree with the original permit. If not, provide an explanation under "REMARKS".

(1) If a tie to the well is available at the time the form is submitted, it should be shown under "Bearing and Distance."

(2) If no tie is available, the distance, given in feet and in the cardinal directions, from the nearest corner of the public land survey should be shown on the form in the proper place.

c. ITEMS 5 through 12 --These items should be completed with information provided by the well driller and pump installer.

d. ITEM 13 -- "TABULATION" -- If for irrigation, the land proposed to be irrigated should be shown. Designate ownership of land; federal, State, or private. If private, give names of owners. The tabulation should agree, basically, with the tabulation on the original permit. If

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the use of water is other than irrigation, show the area and point (s) of use within each 40-acre subdivision.

e. ITEM 14 -- "PLAT" -- Accurately show the well location, point (s) of use (s), and sketch the conveyance system on the plat. Because a plat certified by a licensed engineer or land surveyor will also be required when the well is adjudicated, this plat need only be a sketch and does not need to show ties if they are not yet available.

f. REMARKS -- The means of conveying water to the lands or the point or points of use, should be described under "REMARKS". In addition, this space should be used to make a complete explanation of any situation that is not explainable in the main body of the form.

g. ITEM 15 -- "IF WELL IS TO BE ABANDONED, . . ." -- Items 1 through 8 and Item 12 should be completed on the form, and an explanation of why the well was abandoned should be entered under Item 15.

h. SIGNATURE -- The form must be signed and dated by the owner or his agent. If the well is owned by more than one individual, only one need sign. If a company, corporation, agency, or municipality, is named as applicant, a designated official must sign. The official's title or agent's title should be noted under the signature.

Section 4. Statement of Completion and Description of Well for Domestic or Stock Watering Use Only. (Form U.W. 7). The registration of a domestic or stock well completed before May 24, 1969, should be submitted on U.W. 7. If submitted for this purpose, the form must be accompanied by the legally required Two Dollar (\$2.00) filing fee. This same form is also used to submit final information on domestic or stock wells completed after May 24, 1969. When the form is used for a permitted well drilled after that date, all requested information must be completed. The Permit No., Water Division No., and U.W. District will be entered in the State Engineer's Office. The remainder of the form should be completed by the applicant as follows:

a. NAME OF WELL -- If the form is being used to register a well, a short, distinctive name and number must be assigned to the well; for example: "Smith No. 1". If the form is used as a Statement of Completion for a permitted well, the name and number must be identical to the name and number on the permit.

b. ITEM 1 -- "Owner" -- If the land on which the well is located is owned by more than one party, all landowners must be named as co-owners.

c. ITEM 2 -- "Address" -- Mailing addresses must be shown for each respective owner.

d. ITEM 3 -- "Agent to receive correspondence...." -- If several parties are named as owners, one party must be designated as agent to receive correspondence.

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e. ITEMS 4 through 7-- These items are self-explanatory. On wells drilled before May 24, 1969, if the driller is unknown, this fact must be noted.

f. ITEM 8 -- "Means of conveyance, distance and direction to point of use" -- Indicate distance and direction from the well to the point or points of use, and explain how the water is conveyed. If necessary, submit a diagram on a separate sheet of paper. An example of the type of entry here is: "Water is conveyed to stock tank 100' SW of the well by 1" buried plastic pipe."

g. ITEMS 9 through 11 -- Dates are required on all wells. The dates provided should be as accurate as possible, even though they are only good estimates.

(1) The priority date for wells completed prior to May 24, 1969, and registered before December 31, 1972, will revert to the date the well was completed and the water beneficially used. (A well is not considered complete until the pumping facility has been installed.)

h. ITEMS 12 through 17 -- If information relating to the well description, test data, pump data, casing record, and other well characteristics is not known, it should be obtained from the driller. If any of the information cannot be obtained for old wells, insert "not available" for that item, but provide a reasonable estimate whenever possible; however, Item 14 (Amount of Water being Used) must be completed for all wells.

i. ITEM 18 -- "LOG OF WELL...." -- The log (description of the type of rocks encountered during drilling) should be obtained from the driller. On older wells, if a log is not available, please so indicate. Logs must be submitted for all wells drilled after May 24, 1969.

j. ITEMS 19 and 20 -- These items are self-explanatory.

k. WELL LOCATION (on the first page of form) -- Locate the well by county, and specify the 40-acre tract, section, township and range. Mark the diagram accurately to show the well location in the small square representing 40 acres. The written description and the plat location must agree.

(1) If two or more wells are located in the same 40 acres, a distance measurement between them must be shown; for example: "Smith No. 1 Well is 200' south and 100' west of Smith No. 2 Well".

(2) If the well is located in a resurvey lot or tract, please give the resurvey lot or tract number and the original survey section number, township and range. This information can usually be obtained from the County Clerk's Office.

(3) If the well is in a city, town, or platted subdivision, complete the information in the lower part of the WELL LOCATION block.

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Give the lot and block numbers, the name of the subdivision and its location; for example: "Lot 9, Block 6 of the North Hills Subdivision of Laramie County, NE ¼ NE ¼ Section 23, T.18N., R.69W."

(4) The location on a Statement of Completion for a permitted well must be identical with the location on the permit, or an explanation must be provided under "REMARKS".

(5) If any of the information contained on the application form is no longer correct (such as the applicants name, address, etc.) a notation should be made in the "REMARKS" portion of the Statement of Completion providing the State Engineer's Office with the correct, current information.

1. SIGNATURE -- The application form must be signed and dated. Only an applicant or his agent may sign the form. If the well is owned by more than one individual, only one need sign.

Section 5. Proof of Appropriation and Beneficial Use of Ground Water. (Form U.W. 8). The owner of the well is responsible for submitting Parts I and II of Form U.W. 8 – "Proof of Appropriation and Beneficial Use of Ground Water" and a Certificate of Ownership. Part II consists of the linen plat prepared by a licensed engineer or land surveyor or the quadrangle map, if it is appropriate. Part III will be prepared by a State Engineer representative at the time of field inspection. On Part I, the Water Division, U.W. District, Permit No., Date of Priority, Name (s) and address (es) of the applicant (s), and Name of Well will be entered in the State Engineer's Office before the Form U.W. 8 is sent to the well owner. Other items in Part I should be completed as follows:

a. ITEMS 1 and 2 -- These items should be as shown on the original permit and Form U.W. 6. If ownership has changed, an explanation should be provided.

b. ITEM 3 -- "For What Purpose(s) is Water Used?...." -- Each use, and the date that the water was first used for that purpose, should be noted in the proper blank space. If the use is irrigation, give the date that irrigation was completed on all lands under the permit.

c. SIGNATURE -- This form must be signed and dated by the owner or his agent. If the well is owned by more than one individual, only one need sign. If a company, corporation, agency, or municipality, is named as owner, a designated official must sign. The official's title or agent's title should be noted under the signature.

d. PART II -- Part II of Form U.W. 8 is a linen plat or in some instances, a quadrangle map, which has been certified by a licensed professional engineer or land surveyor. Instructions for preparing the linen plat or quadrangle map and examples are given in Chapters V and VI of this Manual.

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CHAPTER IV.

SAMPLE FORMATS

The following chapter shows sample formats of all the forms dealing with obtaining a ground water right with the State Engineer's Office. All formats shown have been explained in detail in previous chapters.

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Form U.W. 5

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NOTE: Do not fold this form. Use typewriter or print neatly with black ink.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

FILING FEE \$2.00

Temporary Filing No. U.W. _____

FOR OFFICE USE ONLY

PERMIT NO. U.W. _____
 WATER DIVISION NO. _____ DISTRICT _____
 U.W. DISTRICT _____

NAME AND NUMBER OF WELL

Black Watch No. 1

- Name of applicant(s) Black Watch Ranch Company Phone: 234-7087
- Address of applicant(s) P. O. Box 6, Farson, Wyoming Zip: 82932
- Name & address of agent to receive correspondence and notices John S. Hankins
Black Watch Ranch Company, P. O. Box 6, Farson, Wyoming 82932
- Use to which the water will be applied: Irrigation Municipal Industrial Domestic Stock Watering
 Miscellaneous (Describe completely and accurately) Water will be used to sell to drilling companies for exploratory drilling.
- Location of the well: Sweetwater County, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 23, T. 26 N., R. 107 W., or Lot _____, Block _____ of the _____ Subdivision (or Add'n) of _____, _____ $\frac{1}{4}$ of Sec. _____, T. _____ N., R. _____ W., of the 6th P.M. (or W.R.M.), Wyoming. NOTE: Quarter-quarter (40-acre subdivision) must be shown. Example: SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, Township 14 North, Range 68 West.
- Estimated depth of the well is 400 feet.
- MAXIMUM quantity of water to be developed and beneficially used: 900 gallons per minute.
 NOTE: If for domestic or stock use, this application will be processed for a maximum of 25 gallons per minute.
 SPRINGS: Only springs flowing 25 gallons per minute or less, where the proposed use is domestic or stockwatering, will be considered as ground water appropriations. After approval of this application, some type of artificial diversion must be constructed to qualify for a water right.
- If for irrigation use,
 Land will be irrigated from this well only.
 Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.
- If for irrigation use, describe MAXIMUM acreage to be irrigated. The number of acres to be irrigated in each 40-acre subdivision MUST be shown in the tabulation below.

Township	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
26N	107W	23											40	40					80	
			Lands described above have surface rights from Long Creek, Trib. of Sweetwater River through the Jones Ditch, Permit 30765, Proof 22179, O.R. 26, Pg. 472, C.R. 79, Pg. 386 with an additional supply from the Black Watch No. 1 Well.																	
26N	107W	26					40	40	40	40									160	
			The lands described above will have original supply from the Black Watch No. 1 Well																	
26N	107W	20					XX	XX	XX	XX	Points of use for water sold for drilling								TOTAL ACREAGE	240

10. If the water is to be utilized for some purpose other than irrigation, the area(s) or point(s) of use MUST be shown in the above tabulation.

11. If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc. flood and center pivot sprinkler system

SEE REVERSE SIDE

Permit No. U.W. _____

Book No. _____ Page No. _____

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- 12. The well is to be constructed on lands owned by Black Watch Ranch Co.
(The granting of a permit does not constitute the granting of right of way. If any easement or right of way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application, if the land is privately owned and the owner is no a co-applicant.)
- 13. The water is to be used on lands owned by Black Watch Ranch Co.
(If landowner is not the applicant, a copy of the agreement relating to usage of appropriated water on the land should be submitted to this office. If the landowner is included as a co-applicant on the application, this procedure need not be followed.)

REMARKS: _____

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

BY: John S. Hankins _____ 19 73
Signature of Applicant or Authorized Agent Black Watch Ranch Co. Date

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING)
) ss.
STATE ENGINEER'S OFFICE)

This instrument was received and filed for record on the _____ day of _____, A. D.
19____, at _____ o'clock _____ M.

Permit No. U.W. _____ for State Engineer

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and correlation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.

Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use, without loss of water into surface formations or at the surface.

The right to temporary industrial use for selling of water for drilling purposes as granted by this permit will extend for a period of five years from the date of approval, or until . At that time the miscellaneous use will be automatically deleted unless a request for extension of time for such use is approved by the State Engineer. No final Proof of Appropriation will be required under this permit.

Approval of this application may be considered as authorization to proceed with construction of the proposed well.

Construction of well will begin within one (1) year from date of approval. A Statement of Completion will be filed within thirty (30) days of completion of construction, including pump installation.

Completion of construction and completion of the beneficial use of water for the purposes specified in Item 4 of this application will be made by December 31, 19____.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this _____ day of _____, A. D. 19 ____.

State Engineer

PART II.

PART II.

SUBMIT THIS FORM WHEN CONSTRUCTION OF THE WELL BEGINS

GROUND WATER
NOTICE OF COMMENCEMENT OF WORK

Farson, Wyoming, April 17 19 73

State Engineer
State Office Bldg., Cheyenne, Wyoming 82001

PERMIT NO. U.W. 22000

I hereby notify you that work on the Black Watch No. 1 Well began
on the 15th day of April, 19 73.

BY: John S. Hankins
Signature: BLACK WATCH RANCH CO.
Manager Applicant

PLEASE NOTE: The STATEMENT OF COMPLETION form must be submitted to the State Engineer
within 30 days of well completion (with pump).

PART II.

PART II.

Form U.W. 6

NOTE: Do not fold this form. Use type-writer or print neatly with black ink.

IF WELL IS TO BE ABANDONED, SEE ITEM 15, PAGE 4

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

STATEMENT OF COMPLETION AND DESCRIPTION OF WELL

(For wells used only for stock or domestic purposes, use Form U.W. 7)

PERMIT NO. U.W. 22000 NAME OF WELL Black Watch No. 1

- 1. NAME OF OWNER Black Watch Ranch Company
2. ADDRESS P. O. Box 6 Parson, Wyoming Zip Code 82932
3. USE OF WATER: Domestic [] Stock Watering [X] Irrigation [X] Municipal [] Industrial [] Miscellaneous [X]
Water will be used to sell to drilling companies
4. LOCATION OF WELL: SW 1/4 SW 1/4 of Section 23, T. 26 N., R. 107 W., of the 6th P.M. (or W.R.M.), Wyoming, being specifically N 10° 3' East, 500 feet
5. TYPE OF CONSTRUCTION: Drilled [X] rotary (Type of Rig) Dug [] Driven [] Jetted []
6. CONSTRUCTION: Total Depth 360 ft. Depth to Water Level 90 ft.
a. Casing Schedule New [X] Used []
16" diameter from + 1 1/2 ft. to 113 ft. Material Gage
b. Perforations: Type of perforator used None
c. Was well screen installed? Yes [] No [X]
d. Was well gravel packed? Yes [] No [] Size of gravel
e. Was surface casing used Yes [X] No [] Was it cemented in place? Yes [X] No []
7. NAME & ADDRESS OF DRILLER Sam Cable, Rock Springs, Wyoming
8. DATE OF COMPLETION OF WELL (including pump installation) May 2, 1973
9. PUMP INFORMATION: Manufacturer Western Land Roller Type Turbine
Source of power electric Horsepower 40 Depth of Pump Setting 120
Amount of Water Being Pumped 850 Gallons Per Minute.

Permit No. U.W. 22000

Book No. 110 Page No. 34

PART II.

PART II.

10. PUMP TEST: Was a pump test made? Yes No

If so, by whom Sam Cable Address Rock Springs, Wyoming

Yield: 850 gal./min. with 10 foot drawdown after 24 hours.

Yield: _____ gal./min. with _____ foot drawdown after _____ hours.

11. FLOWING WELL (Owner is responsible for control of flowing well). **WELL DOES NOT FLOW**

If well yields artesian flow, yield is _____ gal./min. Surface pressure is _____ lb./sq. inch, or _____ feet of water.

The flow is controlled by: valve cap plug

Does well leak around casing? Yes No

12. LOG OF WELL: Total depth drilled 360 feet.

Depth of completed well 360 feet. Diameter of well 16 inches.

Depth to first water bearing formation 75 feet.

Depth to principal water bearing formation Top 300 feet to Bottom 360 feet.

Ground Elevation, if known _____

From Feet	To Feet	Material Type, Texture, Color	REMARKS (Cementing, Shutoff, Packing, etc.)	Indicate Water Bearing Formation	Indicate Perforated Casing Location
0	15	Soil and surface sand	Cased from 1 1/2" above		
15	35	blue clay	ground surface to 113'		
35	75	coal		some water	
75	103	gray shale, some sand			
103	165	blue shale			
165	220	coal			
220	280	gray shale			
280	300	blue shale			
300	360	gray sand		principle water	

QUALITY OF WATER INFORMATION:

Was a chemical analysis made? Yes No

If so, please include a copy of the analysis with this form.

If not, do you consider the water as: Good Acceptable Poor Unusable

PART II.

PART II.

13. TABULATION

a. If for irrigation, the land proposed to be irrigated should be described in the following tabulation. Describe in the "Remarks" section, under Item 14, the means of conveying the water to the lands and the method of irrigation.

(Give irrigable acreage in each legal subdivision. If proposed use is for supplemental supply for lands with a right from another source, indicate in the tabulation the priority or permit number, the source of supply and the name of the ditch or other well.)

b. If not used for irrigation, show the area and point(s) of use and location of well in the tabulation below. Also describe the method of conveyance in the "Remarks" section under Item 14.

Township	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS	
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
26N	107W	23											35	28					63	A.S.
26N	107W	26					35.5	35.5	35.5	35.5									142.0	O.S.
26N	107W	23																		

X Point of Use for
Stockwatering

TOTAL NUMBER OF ACRES TO BE IRRIGATED 205

Original Supply 142.0 acres

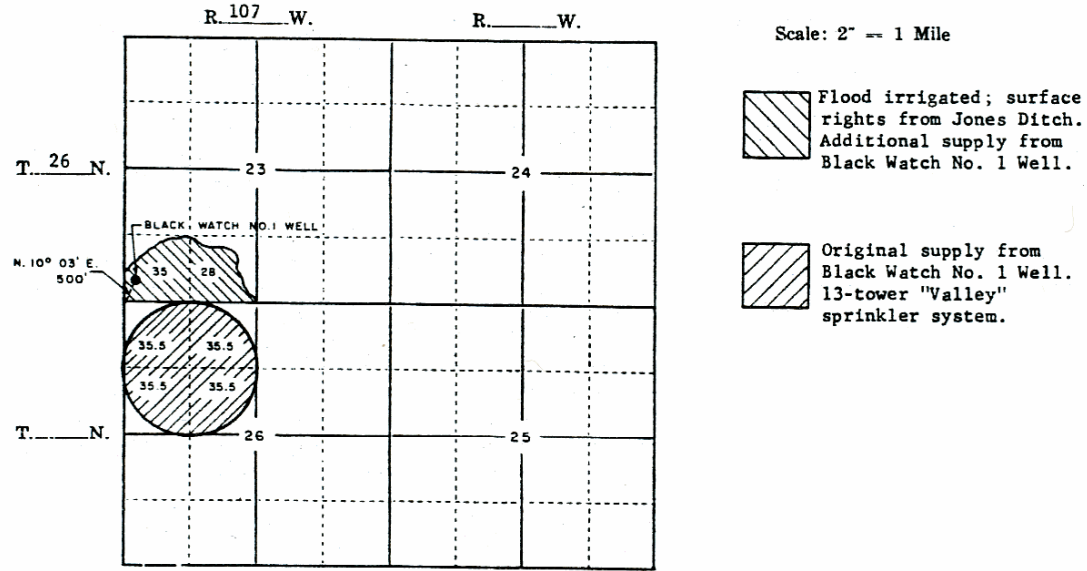
Supplemental Supply 63.0 acres

14. PLAT

a. If the well is to be used for irrigation, industrial, miscellaneous or municipal use, show the location of the well on the plat below. For such uses, a plat certified by a licensed engineer or land surveyor is required to be submitted at the time the Proof of Appropriation and Beneficial Use of Ground Water is submitted.

b. For other uses, accurately show the well location, point of use or uses and describe method of conveyance of water to points of use on plat and in "Remarks" section below. Make certain location on plat agrees with written description.

c. A separate map may be submitted if the information required cannot be shown on this plat.



REMARKS: Miscellaneous use for sale of water to drilling companies for exploratory drilling. Water sold at the well site and hauled to drilling sites in trucks.

PART II.

PART II.

15. IF WELL IS TO BE ABANDONED, complete Items 1 through 8, Item 12 (Log of Well) and state reason for abandonment below.

It is the responsibility of the owner to properly plug or fill in the well in order to prevent contamination of ground water and to cover or cap the well at ground level.

Under penalties of perjury, I declare that I have examined this form and to the best of my knowledge and belief it is true, correct and complete.

BY: John S. Hankins Manager
Signature of Owner or Authorized Agent
Black Watch Ranch Company

MAY 3 19 73
Date

Date of Receipt _____, 19____

Date of Priority April 5 _____, 19 73

Date of Approval _____, 19____

for State Engineer

PART II.

PART II.

Form U.W. 8

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER

The owner is responsible for submitting Parts I and II of this form. Part III will be prepared by a State Engineer Representative at time of inspection.

PART I

WATER DIVISION 4 (6) U.W. DISTRICT Sweetwater County
STATEMENT OF CLAIM DATE OF PRIORITY April 5, 1973
PERMIT NO. U.W. 22000 LOCATION SW 1/4 SW 1/4 of Section 23
WELL REGISTRATION NAME OF WELL Black Watch No. 1 T. 26 N., R. 107 W.

- 1. Name of Claimant(s) Black Watch Ranch Company
2. Address P. O. Box 6 Farson, Wyoming Zip Code 82932
3. For What Purpose(s) is Water Used? Use: Irrigation Date First Used May 12, 19 73
Use: Miscellaneous Date First Used June 1, 19 73 Use: Stock Date First Used May 12, 19 73
If use is for irrigation, give date irrigation was completed on all lands under this Permit: June 6, 1973

PART II

For Irrigation, Industrial, Municipal and Miscellaneous Wells

A plat which has been certified by a licensed professional engineer or land surveyor shall be submitted to accompany this form. The plat shall be in accordance with Sec. 33-366 Wyoming Statutes (1957 Supp.) or see Chapter V and VI, Manual of Regulations and Instructions issued by the State Engineer's Office. (Minimum scale shall be 2" = 1 mile.) The map shall be prepared with waterproof black ink on tracing linen or an acceptable equivalent and shall show on a suitable scale the legal subdivisions, the accurate location of the well or wells, storage facilities, if any, main canals, streams, highways and other important cultural features. Land ownership will be shown, if there is more than one owner under the permit.

IRRIGATION WELLS

Acreage irrigated under terms of this permit will be clearly shown with a distinctive pattern and a distinction clearly made between lands having an original supply and those provided a supplemental supply. Where use is for supplemental supply for lands with a right from another source, indicate the priority or permit number of the source, the source of supply and the name of the ditch, pipe line or other well. Conveyance system will be shown and described. Indicate method of irrigation being used.

INDUSTRIAL WELLS

In addition to the information outlined above, industrial users will locate and describe conveyance facilities to the point(s) of use, giving as accurately as possible the location of points of use. Permits for other sources of water must be identified.

MUNICIPAL WELLS

The plat will show the area of use and show and describe the means of conveyance of the water from the well to the connection with the distribution system for a municipal water system.

MISCELLANEOUS WELLS

- (1) The linen plat for wells where the use is described as miscellaneous and where the yield flow of the well exceeds twenty-five (25) gallons per minute must show the area of use and describe and show the means of conveyance from the well to the distribution system and/or points of use.
(2) The plat for wells where the use is described as miscellaneous and where the yield or flow is twenty-five (25) gallons per minute or less may be a 7 1/2 minute United States Geological Survey Quadrangle map in lieu of a linen tracing provided the U.S. Geological Survey Quadrangle map is in compliance with the following conditions:
(a) The entire United State Geological Survey quadrangle map must be submitted to the State Engineer's Office.
(b) The scale on said quadrangle map must be one to twenty-four thousand.
(c) An identified section corner or quarter corner must be shown on said quadrangle map along with Section, Township and Range.
(d) The section in which the well is located and the section(s) where the area(s) or point(s) of use are located must be subdivided into forty (40) acre tracts and the well location and area(s) or point(s) of use clearly labeled and described.
(e) Said quadrangle map showing the well location and area(s) or point(s) of use must be certified by a professional engineer or land surveyor licensed to practice within the State of Wyoming.

PART II.

PART II.

STATE OF WYOMING

Form U.W. 8

Proof Number U.W. _____
C.R. U.W. _____ Pg. _____
Order Record _____ Pg. _____

PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER

PART III

WATER DIVISION 4 DIST. 6 U.W. DISTRICT Sweetwater County
STATEMENT OF CLAIM NO. U.W. _____ DATE OF PRIORITY April 5, 1973
PERMIT NO. U.W. 22000 LOCATION SW 1/4 SW 1/4 of
WELL REGISTRATION NO. U.W. _____ Section 23 T. 26 N., R. 107 W.
NAME OF WELL Black Watch Ranch Company
Name of Claimant Black Watch Ranch Company
Post Office P. O. Box 6 Farson State Wyoming Zip Code 82932

REPORT OF STATE ENGINEER'S REPRESENTATIVE

Field inspection made on 18th day of August, 19 73
Size of surface casing _____ Flowing Well? NO Use IRRIGATION - MISCELLANEOUS - STOCK
DESCRIPTION OF PUMP: Make Western Land Roller Type Turbine I.D. No. C7089
Rated H.P. 40 Type of Power Electric Make General Electric I.D. No. BEJ22661
Discharge Pressure Unknown psi Static Water Level 90 ft. Pumping Level 100 ft.
Size of Discharge Line 8" O.D. Amount of Water Produced 850 G.P.M.
How was production determined? Pitot tube, manometer and open discharge
Is well described accurately on Statement of Completion? [XX] Yes [] No. If not, describe difference _____

Other wells in the same distribution system? [] Yes [XX] No. If yes, describe _____

Description of Conveyance of Water From an 8 inch buried pipeline extending approximately 1,600 feet southeast from the well to the pivot located in the center of the NW 1/4 of Section 26.

SPRINKLER SYSTEMS: Type Center Pivot Length 1,580 ft. Make Valley
I.D. No. None Nozzle size & spacing Variable No. of Towers 13
Mainline Size 5 1/2" I.D. in. Lateral Lines ---- in. End Gun Yes
System Pressure 76 psi Where measured First nozzle past pivot
Any existing Surface Water Sources? [XX] Yes [] No. If yes, describe Surface rights from Long Creek, Trib. of Sweetwater River, through the Jones Ditch, Permit No. 30765.

Does irrigated acreage, points of use, etc. agree with Map submitted? [XX] Yes [] No. If not, describe difference _____

Are all ditches, pipelines, etc. shown and properly labeled? [XX] Yes [] No. If not, describe difference _____

Does construction comply with State Engineer's Standards? [XX] Yes [] No. If not, Why? _____

PART II.

PART II.

A "CERTIFICATE OF OWNERSHIP" FROM THE COUNTY CLERK'S OFFICE SHOWING OWNERSHIP OR CONTROL OF LAND(S) INVOLVED MUST ACCOMPANY THIS FORM.

Under penalties of perjury, I declare that I have examined this form and to the best of my knowledge and belief it is true, correct and complete.

BY: John S. Hankins, Manager June 10, 19 73
Signature of Owner or Authorized Agent Date
Black Watch Ranch Company

Date of Receipt: _____, 19 _____

PART II.

PART II.

ACREAGE TABULATION AND/OR POINTS OF USE

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTAL	
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄		
26N	107W	23									35	28					63	A.S.		
			Lands described above have surface rights from the Long Creek, Trib. of Sweetwater River, through the Jones Ditch, Permit 30765, Proof 22179, O. R. 26, Pg. 472, C. R. 79, Pg. 386 with an additional supply from the Black Watch No. 1 Well.																	
26N	107W	26					35	35	35	35									140	O.S.
			The lands described above will have original supply from the Black Watch No. 1 Well.																	
26N	107W	20					XX	XX	XX	XX	Points of Use for water sold for Drilling									
26N	107W	23													X	Point of Use for Stockwatering				

Does above tabulation agree with Map submitted? Yes No. If not, Why? _____

Does claimant own all lands shown in the above tabulation? Yes No.

Comments: _____

Supporting Documents: Certificate of Ownership

Do you recommend approval? Yes No

FIELD NOTES:

PART II.

PART II.

STATE OF WYOMING
OFFICE OF THE STATE ENGINEER

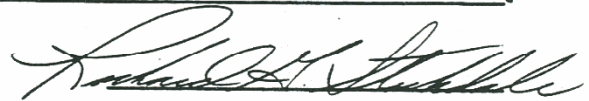
WATER DIVISION NO. 4 DISTRICT 6
U.W. DISTRICT Sweetwater County

NAME AND NUMBER OF WELL
Black Watch No. 1

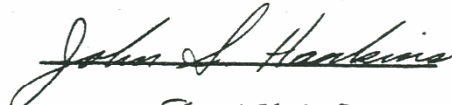
STATEMENT OF CLAIM
PERMIT NO. U.W. 22000
WELL REGISTRATION

DATE OF PRIORITY April 5, 1973
LOCATION SW $\frac{1}{4}$ Sw $\frac{1}{4}$ of Section 23
T. 26 N. R. 107 W.

I, Richard G. Stockdale, being an authorized representative of the State Engineer, have this 18th day of August 19 73 conducted a field inspection of the above well and accompanying facilities to determine Proof of Appropriation and Beneficial Use of Ground Water. I have found everything in agreement with Permit No. U. W. 22000, required notices and the certified map filed in conjunction with Proof of Appropriation and Beneficial Use, Form U.W. 8; subject to the following exceptions: _____


DATE 8-18-73

I, John S. Hankins, Manager do depose and say that I have read the Black Watch Ranch Company Proof of Appropriation and Beneficial Use of Ground Water and am witness to the field inspection conducted this 18th day of August 19 73. I agree with the findings of said inspection and exceptions as noted above. I further agree to the amendment of existing records to reflect the findings of this inspection.


DATE 8-18-73

Proof No. U.W. 300

THE STATE OF WYOMING

Certificate of Appropriation of Ground Water

Certificate Record No. U.W. 40, Page 60

WHEREAS, Black Watch Ranch Company has presented to the Board of Control of the State of Wyoming proof of the appropriation of ground water from the Black Watch Ranch No. 1 Well located in the SW 1/4 of Section. 23 T. 26 N., R. 107 W., under Permit No. U.W. 22000, for Miscellaneous (selling of water for drilling) Stock 5, irrigation of the lands herein described, lying and being in Sweetwater County, Wyoming.

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 10th day of November, A. D. 1973, in Order Record No. 300, Page 651, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator Black Watch Ranch Company P. O. Box 6 Farson, Wyoming;
 Date of Appropriation April 5, 1973; Mailing Address 203

Amount of Appropriation 850 gallons per minute; Description of land to be irrigated and for which this appropriation is determined and established:

TWP.	RANGE	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
26N	107W	23							35	28				63 A.S.	
26N	107W	26				35	35	35						140 O.S.	
26N	107W	23							X	Point of use for stockwatering					
						Those lands described in Section 23, T. 26 N., R. 107 W. receive original supply from the Jones Ditch, Permit No. 30765.									

The right to water hereby confirmed and established is limited to irrigation Miscellaneous (selling of water for exploratory drilling) & Stock and the use is restricted to the place where acquired and to the purpose for which acquired and shall not exceed the amount of the appropriation stated above.

IN TESTIMONY WHEREOF, I, FLOYD A. BISHOP, President of the State Board of Control, have hereunto set my hand this 10th day of November, A. D. 1973, and caused the seal of said Board to be hereunto affixed.

Attest: George C. ... Ex-officio Secretary.

PART II.

Form U.W. 5

PART II.

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

FILING FEE \$2.00

Temporary Filing No. U.W. _____

FOR OFFICE USE ONLY

PERMIT NO. U.W. _____
WATER DIVISION NO. _____ DISTRICT _____
U.W. DISTRICT _____

NAME AND NUMBER OF WELL

Summer Spring No. 1

- Name of applicant(s) John Flower Phone: _____
- Address of applicant(s) 1794 Rosebud, Sundance, Wyoming Zip: 82729
- Name & address of agent to receive correspondence and notices Same
- Use to which the water will be applied: Irrigation [] Municipal [] Industrial [] Domestic Stock Watering [] Miscellaneous (Describe completely and accurately) _____
- Location of the well: Crook County, NE ¼ NE ¼ of Sec. 10, T. 51 N., R. 63 W., or Lot _____, Block _____ of the _____ Subdivision (or Add'n) of _____ ¼ of Sec. _____, T. _____ N., R. _____ W., of the 6th P.M. (or W.R.M.), Wyoming. NOTE: Quarter-quarter (40-acre subdivision) must be shown. Example: SE¼NW¼ of Sec. 12, Township 14 North, Range 68 West.
- Estimated depth of the well is 12 feet.
- MAXIMUM quantity of water to be developed and beneficially used: 15 gallons per minute.
NOTE: If for domestic or stock use, this application will be processed for a maximum of 25 gallons per minute.
SPRINGS: Only springs flowing 25 gallons per minute or less, where the proposed use is domestic or stockwatering, will be considered as ground water appropriations. After approval of this application, some type of artificial diversion must be constructed to qualify for a water right.
- If for irrigation use,
[] Land will be irrigated from this well only.
[] Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.
- If for irrigation use, describe MAXIMUM acreage to be irrigated. The number of acres to be irrigated in each 40-acre subdivision MUST be shown in the tabulation below.

Township	Range	Sec.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51N	63W	10	X	Point of Use of Well															

- If the water is to be utilized for some purpose other than irrigation, the area(s) or point(s) of use MUST be shown in the above tabulation.
- If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc.

SEE REVERSE SIDE

PART II.

PART II.

12. The well is to be constructed on lands owned by applicant
(The granting of a permit does not constitute the granting of right of way. If any easement or right of way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application, if the land is privately owned and the owner is no a co-applicant.)

13. The water is to be used on lands owned by applicant
(If landowner is not the applicant, a copy of the agreement relating to usage of appropriated water on the land should be submitted to this office. If the landowner is included as a co-applicant on the application, this procedure need not be followed.)

REMARKS: This spring will be dug out to approximately 10 feet and a collection box made of cement will be installed. Water will then be piped 150 feet to a cabin for domestic use. Said point of use is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Township 51 North, Range 63 West.

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

John Flower _____ Aug 14 19 73
Signature of Applicant or Authorized Agent Date

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING)
) ss.
STATE ENGINEER'S OFFICE)

This instrument was received and filed for record on the _____ day of _____, A. D. 19____, at _____ o'clock _____ M.

Permit No. U.W. _____ for State Engineer

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and correlation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.

Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use, without loss of water into surface formations or at the surface.

Approval of this application may be considered as authorization to proceed with construction of the proposed well.
Construction of well will begin within one (1) year from date of approval. A Statement of Completion will be filed within thirty (30) days of completion of construction, including pump installation.

Completion of construction and completion of the beneficial use of water for the purposes specified in Item 4 of this application will be made by December 31, 19____.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this _____ day of _____, A. D. 19____.

State Engineer

PART II.

PART II.

Form U.W. 5

NOTE: Do not fold this form. Use type-writer or print neatly with black ink.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

APPLICATION FOR PERMIT TO APPROPRIATE GROUND WATER

FILING FEE \$2.00

Temporary Filing No. U.W. _____

FOR OFFICE USE ONLY

PERMIT NO. U.W. _____
 WATER DIVISION NO. _____ DISTRICT _____
 U.W. DISTRICT _____

NAME AND NUMBER OF WELL

Muddy No. 12

- Name of applicant(s) KERR-MC GEE Phone: 235-6600
- Address of applicant(s) P. O. Box 800 Casper, Wyoming Zip: 82601
- Name & address of agent to receive correspondence and notices Joe James
P. O. Box 800 Casper, Wyoming 82601
- Use to which the water will be applied: Irrigation [] Municipal [] Industrial Domestic [] Stock Watering []
 Miscellaneous (Describe completely and accurately) Secondary Recovery Operation
- Location of the well: Campbell County, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, T. 47 N., R. 71 W., or Lot _____, Block _____ of the _____ Subdivision (or Add'n) of _____, $\frac{1}{4}$ $\frac{1}{4}$ of Sec. _____, T. _____ N., R. _____ W., of the 6th P.M. (or W.R.M.), Wyoming. NOTE: Quarter-quarter (40-acre subdivision) must be shown. Example: SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, Township 14 North, Range 68 West.
- Estimated depth of the well is _____ feet. **THIS IS AN OIL WELL SEPARATOR**
- MAXIMUM quantity of water to be developed and beneficially used: 200 gallons per minute.
 NOTE: If for domestic or stock use, this application will be processed for a maximum of 25 gallons per minute.
 SPRINGS: Only springs flowing 25 gallons per minute or less, where the proposed use is domestic or stockwatering, will be considered as ground water appropriations. After approval of this application, some type of artificial diversion must be constructed to qualify for a water right.
- If for irrigation use,
 [] Land will be irrigated from this well only.
 [] Land is irrigated from existing water right(s) with water from this well to be additional supply. Describe existing water right(s) under REMARKS.
- If for irrigation use, describe MAXIMUM acreage to be irrigated. The number of acres to be irrigated in each 40-acre subdivision MUST be shown in the tabulation below.

Township	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
47N	71W	27					X	X	X										

X Indicates the location of injection wells.

- If the water is to be utilized for some purpose other than irrigation, the area(s) or point(s) of use MUST be shown in the above tabulation.
- If for irrigation use, describe method of irrigation, i.e. center pivot sprinkler, flood, etc. _____

SEE REVERSE SIDE

Permit No. U.W. _____

Book No. _____ Page No. _____

PART II.

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12. The well is to be constructed on lands owned by Federal Government (BLM)
(The granting of a permit does not constitute the granting of right of way. If any easement or right of way is necessary in connection with this application, it should be understood that the responsibility is the applicant's. A copy of the agreement should accompany this application, if the land is privately owned and the owner is no a co-applicant.)

13. The water is to be used on lands owned by Federal Government (BLM)
(If landowner is not the applicant, a copy of the agreement relating to usage of appropriated water on the land should be submitted to this office. If the landowner is included as a co-applicant on the application, this procedure need not be followed.)

REMARKS: There are 10 oil wells tied to this well and they are producing
from the Muddy Formation.

THE LEGALLY REQUIRED FILING FEE MUST ACCOMPANY THIS APPLICATION

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

Joe James, Production Sept. 12, 19 72
Signature of Applicant or Authorized Agent Superintendent Date

THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT

THE STATE OF WYOMING)
) ss.
STATE ENGINEER'S OFFICE)

This instrument was received and filed for record on the _____ day of _____, A. D.
19____, at _____ o'clock _____ M.
Permit No. U.W. _____
_____ for State Engineer

THIS IS TO CERTIFY that I have examined the foregoing application and do hereby grant the same subject to the following limitations and conditions:

This application is approved subject to the condition that the proposed use shall not interfere with any existing rights to ground water from the same source of supply and is subject to regulation and correlation with surface water rights, if the ground and surface waters are interconnected. The use of water hereunder is subject to the further provisions of Chapter 169, Session Laws of Wyoming, 1957, and any subsequent amendments thereto.

Granting of a permit does not guarantee the right to have the water level or artesian pressure in the well maintained at any specific level. The well should be constructed to a depth adequate to allow for the maximum development and beneficial use of ground water in the source of supply.

If the well is a flowing artesian well, it shall be so constructed and equipped that the flow may be shut off when not in use, without loss of water into surface formations or at the surface.

Approval of this application may be considered as authorization to proceed with construction of the proposed well.

Construction of well will begin within one (1) year from date of approval. A Statement of Completion will be filed within thirty (30) days of completion of construction, including pump installation.

Completion of construction and completion of the beneficial use of water for the purposes specified in Item 4 of this application will be made by December 31, 19____.

The amount of appropriation shall be limited to the quantity to which permittee is entitled as determined at time of proof of application of water to beneficial use.

Witness my hand this _____ day of _____, A. D. 19____.

State Engineer

PART II.

PART II.

Form U.W. 7

IF WELL IS TO BE ABANDONED, SEE ITEM 20

NOTE: Do not fold this form. Use typewriter or print neatly with black ink.

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

STATEMENT OF COMPLETION AND DESCRIPTION OF WELL

for Domestic or Stock Watering Use Only

A preferred water right is given to such use when the yield or flow does not exceed .066 cubic feet per second or 25 gallons per minute. Domestic use refers to household use and the watering of lawns and gardens for family use, not to exceed one acre.

Permit No. U.W. _____ Temporary Filing No. _____

Water Division No. _____

**Completed Prior to May 24, 1969

U.W. District _____

NAME OF WELL Mark No. 1

- 1. Owner Andrew W. Wallace
2. Address Box 841 Buffalo, Wyoming 82834
3. Agent to receive correspondence Same

- 4. Name & address of driller C. T. Reid
400 E. Mt. Evans Road, Sheridan, Wyoming 82801

- 5. Well is constructed on lands owned by applicant
(Obtaining of easement or right of way is the responsibility of the applicant's. Include copy if land is privately owned and owner is not a co-applicant.)

- 6. Type of construction: Dug Drilled rotary
Type of Rig
Driven Jet Other _____

- 7. Use of Water—Domestic Stock

- 8. Means of conveyance, distance and direction to point of use
Water is conveyed to dwelling S.E. by 1 1/2" pipe 20 feet

- 9. Date started 8-17, 1941
10. Date completed 8-19, 1941 (including pump)
11. Date after completion when water was used 8-19, 1941

- 12. WELL DESCRIPTION
Total Depth 182' Depth to Water Level 22 ft.

- 13. TEST DATA
Yield 8 gal. How Tested Bail
Drawdown 140' Length of Test 1 hour

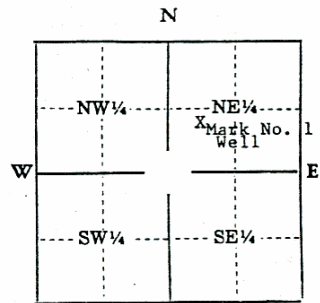
- 14. PUMP DATA
Type Sub. Power Source Elec.
(Turbine, Centrifugal, etc.) (Elec., Gas, etc.)
Horsepower 3/4 Amount of Water Being Used 8 gal.
(Gallons per Minute)

- 15. CASING RECORD
Plain Casing
Size 6" Kind Galv. from 0 ft. to 23 ft.
Size 4" Kind Galv. from 0 ft. to 132 ft.
Size _____ Kind _____ from _____ ft. to _____ ft.
Perforated Casing
Size 4" Kind Galv. from 132 ft. to 182 ft.
Size _____ Kind _____ from _____ ft. to _____ ft.

WELL LOCATION

Johnson County

SW 1/4 of NE 1/4 of Sec. 18
T. 51 N., R. 82 W.



Scale: 2" = 1 mile

Above diagram represents one full section. Locate well accurately in small square representing 40 ac. or fill in the following:

Lot _____ & Block _____ or Tract _____

of the _____ (Subdivision or Addition)

of _____ (City, Town or County)

Section _____, T. _____ N., R. _____ W.

**For wells constructed after May 24, 1969, Application Form U.W. 5 must be submitted prior to construction.

Permit No. U.W. _____

Book No. _____ Page No. _____

PART II.

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Use typewriter
or BLACK ink

STATE OF WYOMING

APPLICATION TO DEEPEN AN EXISTING WELL

**NOTE: This form may be used for all types of wells, but only when the quantity of water to be developed will not exceed the appropriative right and the use of the water will not be increased or otherwise changed. This form is not to be used if the well is to be relocated. A STATEMENT OF COMPLETION (Form U. W. 7 for domestic and/or stock wells, or Form U. W. 6 for all other wells) MUST BE SUBMITTED TO THE STATE ENGINEER'S OFFICE WITHIN THIRTY (30) DAYS AFTER COMPLETION OF THE WELL.

Well Registration _____
Permit No. U. W. _____ LOCATION: _____ 1/4 _____ 1/4 Sec. _____,
Statement of Claim _____ Township _____ N., Range _____ W.

Name of Well _____

- 1. Name of applicant: _____ Tel. No. _____
- 2. Address of applicant: _____ Zip Code _____
- _____ City _____ State _____
- 3. Present depth of well _____ ft.
- 4. Proposed depth when deepening is completed: _____ ft.
- 5. Amount of water presently being appropriated: _____ gallons per minute.
- 6. Use to which water is presently applied: Irrigation Municipal
 Stock Watering Industrial Miscellaneous

NOTE: If the amount of water to be appropriated exceeds the amount applied for on the original permit, or if an additional use is to be made of the water, an application for change or addition of use, or increase in the amount of water being appropriated should be submitted on Form U. W. 5, indicating the proposed new use, the increase in the appropriation request, and a description of where and how the water will be used.

- 7. Reason for deepening well: _____
- _____
- _____
- _____

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief it is true, correct and complete.

Signature of Applicant or Authorized Agent _____ Date _____

This application was received in the State Engineer's Office on the _____ day of _____, A.D., 19_____.
Receipt Acknowledged _____
DATE OF APPROVAL _____ 19_____

for the State Engineer

Permit No. _____
U.W. _____
"Application to Deepen an Existing Well"

PART II.

ASSIGNMENT OF PERMIT FOR WELLS

STATE OF WYOMING,) SS
County of Sheridan

I. (we) Mary S. & Paul N. Johnson,
of the City of Sheridan, County of Sheridan,
State of Wyoming, being the owner(s) (if
not sole owner, state interest in permit), of the Johnson No. 1
1 Well under Permit No. U.W. 8000,
as recorded in Book No. 63 of Wells on Page No. 187,
in the office of the State Engineer of the State of Wyoming, for
and in consideration of the sum of One Dollar (\$1.00) and other
valuable considerations, the receipt of which is hereby acknowledged,
do by these presents hereby transfer and assign all my (our) right,
title and interest of whatsoever nature in and to said permit and all
works pertaining thereto to _____
Frank N. Smith, of the City of Sheridan,
County of Sheridan, State of Wyoming,
his (their) heirs, successors or assigns, forever,

Address: 1005 Fox Road **Signature**
City: Sheridan Signed **Signature**
State: Wyoming 82801

STATE OF WYOMING,) SS
County of Laramie

On this 5th day of April,
19 73 before me personally appeared Mary S. Johnson and Paul N. Johnson
Johnson to me known to be the person(s) described in and who
executed the foregoing instrument, and acknowledged that (they)
executed the same as his (their) free act and deed.

Signature

Notary Public

My Commission Expires December 22, 19 75

PART II.
TEMPORARY WATER USE AGREEMENT

INSTRUCTIONS

1. This form is to be used for Agreements involving adjudicated and valid unadjudicated water rights.
2. All locations required to be given under this Agreement shall be described by legal subdivision, section, township and range.
3. The sketch map furnished should show the location of the ditch, pipeline or reservoir or well, the location of the source of supply of the appropriation involved and the location of the point of diversion, the location of the area of use, and a brief narrative giving a general description of the proposed temporary use.
4. One (1) fully executed Agreement shall be forwarded to the State Engineer's Office. Upon approval by the State Engineer a fully executed copy will be returned to the parties to the Agreement.
5. Required size of sketch map is 8½" x 11", 8½" x 14" or multiples thereof.
6. If applicable, the signatures of both husband and wife are required on the appropriation.

PART II.
WATER AGREEMENT

For Temporary Use of Water

THIS AGREEMENT, made and entered into this __ day of _____
19____. by and between _____
of _____ hereinafter referred
(address)
to as the "User" and _____
(water appropriator's name and address)
_____ hereinafter referred to as "Appropriator".

WITNESSETH:

1. Upon receiving authority from the State Engineer, State of Wyoming,
Appropriator shall deliver to the User a total amount of
_____ of water from the following described
(number of gallons, acre-feet)
appropriation:

_____ (Permit Number)	_____ (Name of Well, Ditch or Reservoir)
_____ (Priority)	_____ (Source of Supply)
_____ (Amount of Appropriation)	_____ (Location of Record Point of Diversion of Ditch or Outlet or Reservoir or Well under this Appropriation)
_____ (portion of this Appropri- ation held by Water Appro- priator)	_____ (Location of User's Point of Diversion)

2. The water to be supplied by Appropriator to the User shall be supplied
at a maximum rate of _____
(gallons per minute or cubic feet per second)
With total daily diversion of _____ ,
(acre-feet or gallons per day)
and said water shall be used for _____
(Indicate where and for what purpose
_____ water will be used and describe method and point of withdrawal, etc.)

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3. It is understood and agreed by the Appropriator that in order to satisfy the consumptive use-return flow formula set forth in Wyoming law, as it applies to direct flow appropriation, it will be necessary for the Appropriation to forego the use of up to double the amount of water diverted under this Agreement as specified in paragraphs 1 and 2, unless an adjustment is made in this requirement by the State Engineer.

4. Throughout the term of this Agreement the User agrees that day to day water withdrawals hereunder shall be in such nearly even quantities as possible to the end that waste thereof shall not be created either by the User or by the Appropriator.

5. The User agrees to furnish one (1) copy of a sketch map or any other map necessary for transmittal with this Agreement showing the User's proposed point of diversion, general layout of system and the proposed point of use, as well as location of the water right involved. The items to be depicted on said map shall be shown with reasonable accuracy within the proper legal subdivision, section, township and range.

6. For and in consideration of the water to be furnished under the terms of this Agreement, the User agrees that Appropriator shall receive in payment thereof _____ cents per M gallon, the foregoing to be full consideration for this Agreement and paid or performed by the User at its sole cost and expense.

7. This Agreement shall be in existence and binding upon the parties hereto for a term of _____ from and after the date of
(length of time)
approval by the State Engineer or until such time as the total amount of water contracted for has been supplied, whichever occurs first, but in no event shall exceed a period of two years from the date of approval by the State Engineer.

This Agreement is made pursuant to Chapter 193, Session Laws of Wyoming, 1971, authorizing the temporary acquisition of adjudicated or valid unadjudicated water rights for highway, railroad construction or

PART II.

repair, drilling operations or other temporary purposes by purchase, gift or lease by the User and providing for the method of said acquisition.

USER:

By _____

Title _____

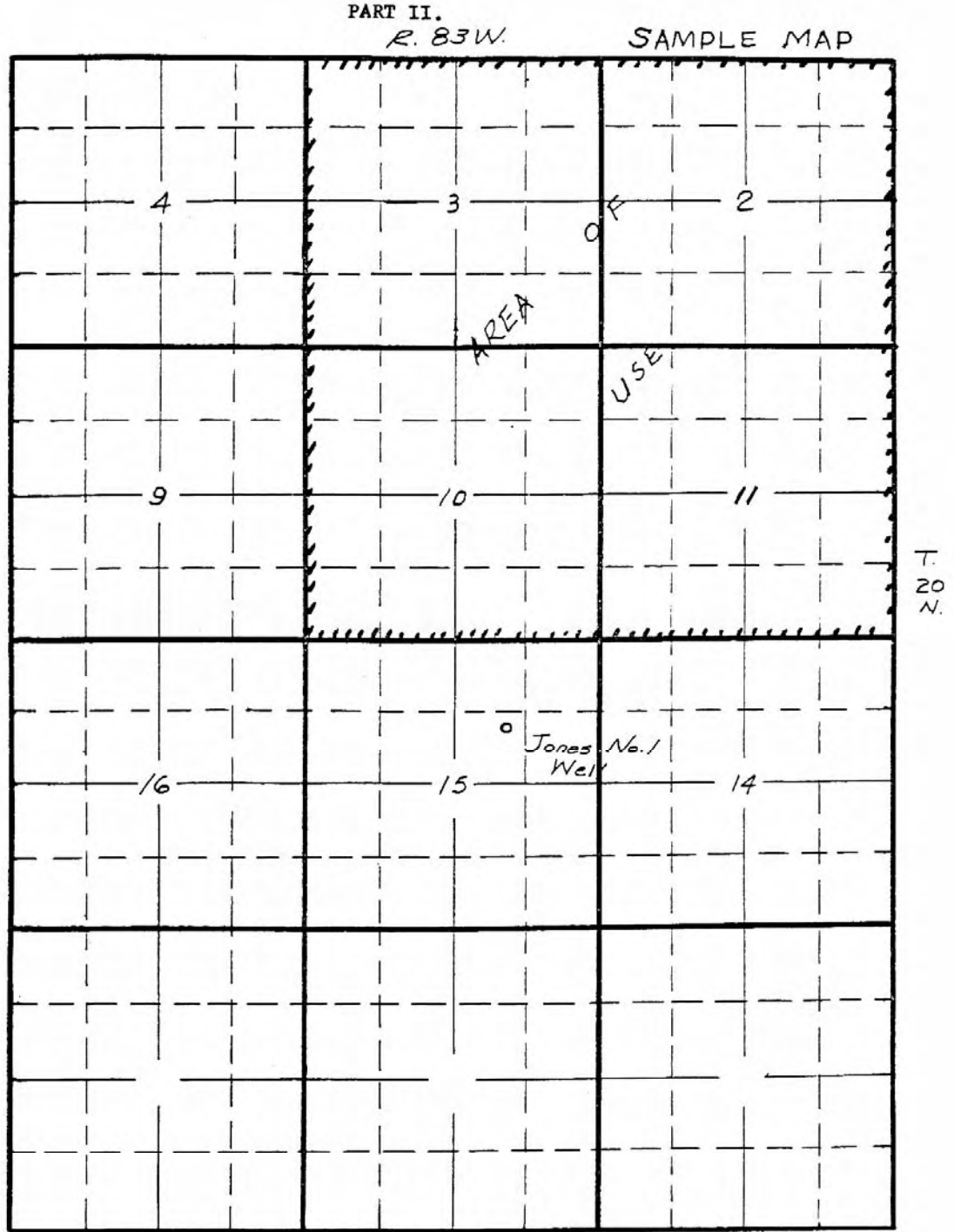
APPROPRIATOR:

APPROVED:

State Engineer of Wyoming

Date

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Scale: 2" = 1 Mile

NOTE: Water will be pumped from the Jones No. 1 Well, Permit No. U. W. 4327 located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T. 20 N., R. 83 W. at a maximum rate of about 450 gallons per minute, with a maximum daily diversion of 40,000 gallons and a total diversion of 1,000,000 gallons. Water will be loaded on tank trucks and hauled to the area of use as shown on this map for mineral exploration.

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CHAPTER V.

MAP AND SURVEY REQUIREMENTS FOR MAPS TO
ACCOMPANY PROOF OF APPROPRIATION AND
BENEFICIAL USE OF GROUND WATER

Section 1. Required Plats and Maps.

a. Linen plats conforming to the following requirements are required as Part II of the Proof of Appropriation and Beneficial Use of Ground Water for all wells with the exception of certain wells used for miscellaneous, domestic and stock watering purposes. (See Sections 2 through 18 of this Chapter for linen plat requirements).

b. The plat for wells where the use is described as miscellaneous and where the yield or flow is twenty-five (25) gallons per minute or less may be a 7 ½ minute United States Geological Survey Quadrangle map in lieu of a linen tracing provided that the U.S. Geological Quadrangle is in compliance with the following conditions:

- (1) The entire United States Geological Survey Quadrangle map must be submitted to the State Engineer's Office.
- (2) The scale on said quadrangle map must be one to twenty-four thousand.
- (3) An identified section corner or quarter corner must be shown on said quadrangle map along with section, township and range.
- (4) The section in which the well is located and the section(s) where the area(s) or point(s) of use are located must be subdivided into forty (40) acre tracts and the well location and area(s) or point(s) of use clearly labeled and described.
- (5) Black waterproof ink must be used for all information shown on these maps.
- (6) All pipelines, storage facilities, etc., must be shown.
- (7) Said quadrangle map showing the well location and area(s) or point(s) of use must be certified by a professional engineer or land surveyor licensed to practice within the State of Wyoming.

The above requirements also apply to wells used for domestic and stock watering purposes. (See page 62 for sample quadrangle map.)

Section 2. Responsibility. In all cases, the engineer or surveyor who signs an application or map will be held personally responsible for the correctness and completeness of his work, including the work done by those in his employ or under his direction.

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Section 3. Accuracy. The accuracy of measurement required on all water right surveys shall conform in general to the principles set forth in the American Congress on Surveying and Mapping publication entitled "Technical Standards for Property Surveys". Measurements shall be made with instruments capable of attaining the required accuracy for the particular problem involved. The minimum accuracy of linear measurements involving ties to wells or other control points shall be 1/500, and the maximum allowable error in any tie, regardless of length, shall be 10 feet. Irrigated acreages in each subdivision should be accurate to the nearest 1/10 of an acre.

Section 4. Care. Care must be taken to determine and accurately locate the irrigable land. The boundaries of irrigable land should be meandered unless they follow section lines or regular subdivision lines of a section, or unless such boundaries can be accurately defined through the use of aerial photos.

Section 5. Corner Ties. The well, separator or sump must be located by course and distance from a corner of the public land survey.

Section 6. Latest Accepted Survey. The engineer or surveyor should obtain full information concerning the latest accepted survey (including protractions of unsurveyed areas) of any lands involved in a water right application, petition, or proof of appropriation and beneficial use of ground water. This information should be obtained from the office of the U.S. Department of the Interior, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming, 82001, or from county records or other sources of information, prior to making this survey or preparing the map.

Section 7. Field Notes. The State Engineer may require copies of field notes of surveys. The engineer or surveyor should keep a complete record of each survey made, including a print of the map, facts coming to his knowledge at the time, copies of all field notes, reports, and correspondence, in order that such evidence may be produced in the future if necessary.

Section 8. Aerial Photographs. Map information taken from aerial photographs may be used, with discretion, to supplement field surveys, but the location of public survey boundaries, the points of diversion of ditches, wells, and the extent and area of irrigable or irrigated lands must be determined by actual field surveys.

Section 9. Acceptable Materials.

a. All proofs of appropriation and beneficial use of ground water must be accompanied by maps in duplicate; one of which must be on good quality tracing linen or equivalent. Original drawings prepared on polyester base films with a minimum thickness of 0.004 inch will be acceptable. This will include Estar, Cronaflex, and Mylar drafting films. Maps accompanying original applications must be neatly drawn in either black waterproof ink or acetate ink which will print clearly. Maps on which pencil, ball-point pen, or ink other than black has been used, will not

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be acceptable.

b. Maps to accompany enlargement applications or amendments of previous filings may be prepared by securing a duplicate original of the map already on file in the State Engineer's Office, and by making the necessary alterations and additions thereto. Duplicate originals, in order to be acceptable, must be on Mylar, Estar, Cronaflex, or equivalent drafting films with a matte surface designed to accept ink and with a minimum thickness of 0.004 inch.

c. Maps which have been folded will not be accepted.

Section 10. Sizes.

a. All linen plats must conform to one of the standard sizes listed. Linen plats prepared on sheets of any other size will not be accepted. If one sheet is not sufficient to show the proposed works, two or more sheets of the same size may be used. Keep all map information within the border line.

b. Loose-leaf books are in use for each size given below, and all linen plats are filed flat in order to preserve the record contained on them. Linen plats must be made on sheets of the following sizes and dimensions:

<u>Size</u>	<u>OVERALL DIMENSIONS</u>		<u>MARGINS</u>	
	<u>Length</u>	<u>Width</u>	<u>Binding Side</u>	<u>Other Sides</u>
B	15"	10-3/4"	1-1/2"	1/4"
D	21-1/2"	15"	1-1/2"	3/8"
E	30"	21-1/2"	1-1/2"	1/2"
F	40"	35"	3/4"	3/4"

See pages 56 and 57 for pictorial representation of plat sizes and margin arrangements.

(1) The "F" size sheet is very unhandy to file and to use; consequently, it is preferred that the "B", "D", or "E" size sheets be utilized if possible. The preferred plat size for ground water plats is the "B" size. Statutory provisions also permit the use of size "A" which is 8-1/2 inches wide and 11 inches long; size "AA" which is 8-1/2 inches wide and 14 inches long; and size "C" which is 22 inches wide and 36 inches long. The State Engineer's Office, however, is not equipped with books for filing these sizes; therefore, the sizes included in the above tabulation are preferred.

Section 11. Arrangement. See Pages 60 through 61 for ideal arrangement of data. Attention is called to the necessity of placing the binding edge as indicated. Provide a 1" x 4" space for the State Engineer's

PART II.

endorsement, as shown on the sample plats. Orient the plat so the meridian is parallel to the binding edge, and, if possible, so the “north arrow” points to the top of the plat.

Section 12. Title. Always place the title in the lower right-hand corner. The title on the plat should conform with the names given in the accompanying petitions or proofs of appropriation and beneficial use of ground water. The title should include the names of all ditches, enlargements, reservoirs, pipelines, and/or wells which are directly involved in the petitions or ground water proofs. The names and addresses of the petitioners or permittees, and the scale of the plat should also be included in the title block. The permit numbers for the ground water rights involved must be shown.

Section 13. Scale. Location plats and maps must be drawn to a scale of not less than 2"=1 mile. Use a large enough scale to show all of the required information clearly. Show the scale used for all plats.

Section 14. Ties.

a. Ties must be shown on the plat from a corner of the public land survey to the well, separator, sump or pump location where pits are involved.

b. All distances must be shown in feet. Plats must be plotted to the true meridian, and bearings shown must be true bearings, reading less than 90° to the east or west from the north and south points.

Section 15. Information to be Shown.

a. The well must be shown in such a manner that its location stands out clearly, and the name must be shown. Sufficient detail of the conveyance system must be shown so that it is apparent as to how water will be conveyed to each subdivision. On ground water plats, it should be noted whether the system carries ground water, surface water, or both.

b. Entire sections must be shown in all cases. When any part of a section is involved in an application or petition, the entire section, subdivided into forties and lots, must be shown. Where lots or tracts are shown, they must be plainly labeled on the plat, and the entire lot or tract is to be shown. Homestead entries and mineral surveys are to be related to the nearest section to indicate their position in the township. In cases where the well is located within a recorded subdivision, an insert showing the well location within the section may be added.

c. Certificate of Engineer or Surveyor must be shown. An example is shown on page 54 and may be used as a general guide.

d. The location and acreage of all lands being irrigated in each subdivision must be shown on ground water plats.

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- (1) Such lands must be indicated on the plat by symbols or cross hatching.
- (2) Lands under different permits must be shown by distinctively different crosshatching or symbols.
- (3) The plat must contain a legend showing the kind of cross-hatching or symbols.
- (4) Watercoloring wrinkles the linen and therefore must not be used.
- (5) The lands shown on a ground water plat must be the actual acreage irrigated from the ground water source at the time of the survey.

e. On ground water plats, only the actual acreage irrigated from existing surface water sources should be shown. The source of the surface water must be identified. For example: "Jones Ditch conveys water from Sweetwater Creek." It is not necessary to research water right records; only to show what is actually in the field.

f. For secondary recovery operations, all injection wells, distribution lines and storage facilities are to be shown. If a separator is the source of the water, a tie to the separator must be provided.

Section 16. Pipelines, Gathering Systems, Etc. In situations where pipelines, gathering systems, etc., are contemplated or proposed, the State Engineer may require a plat prepared by a licensed engineer or land surveyor showing the proposed pipeline route and points of use.

Section 17. Additional Required Information. Plats for Proof of Appropriation and Beneficial Use of Ground Water are also required to show the following:

a. Storage facilities, if involved in the use of ground water, must be shown. Permits for sources of ground water used within the distribution system, but brought from outside the area shown on the map, must be identified by note.

b. If lands are owned by more than one party, or are owned by the State or Federal Government, such ownership must be clearly shown. Roads, railroads, and other important cultural features also should be shown, where practical.

c. The term "supplemental supply" does not apply to ground water. If more than one well irrigates the same land, or if both ground and surface water are applied to the same land, it is sufficient to reference the well names on the plat and to identify all wells in the title block. Acreage irrigated from surface water sources must be shown so as to reflect any use of surface water on the same lands covered by the ground water rights surveyed.

d. A blank area, at least 4 inches wide and 2 inches deep, must

PART II.

be left in the upper right-hand corner of the plat. Examples are shown on pages 60 and 61. This blank area, to be completed in the State Engineer's Office only, will be used to reference surface water rights as they are shown on existing records.

Section 18. Sample Plats and Maps. Pages 58 through 62 contain sample plats and maps prepared in accordance with the requirements of the State Engineer's Office, and should be used as guides in the preparation of plats and maps to be filed with the Proof of Appropriation and Beneficial Use of Ground Water.

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CHAPTER VI.

SAMPLE LINEN PLATS AND QUADRANGLE MAPS

Section 1. Dimensions and Arrangement. Pages 58 through 60 contain sample plats and maps prepared in accordance with the requirements of the State Engineer's Office, and should be used as guides in the preparation of plats and maps to be filed with the Proofs of Appropriation and Beneficial Use of Ground Water - Form U.W. 8.

Section 2. Engineer's Certificate.

a. Certificate for plats and maps to accompany Proof of Appropriation and Beneficial Use of Ground Water - Form U.W. 8:

- - - - -

CERTIFICATE OF ENGINEER OR SURVEYOR

(1) All linen plats must have the following certificate:

STATE OF WYOMING)
) SS.
COUNTY OF _____)

I, _____ of _____ hereby certify that this plat was made from notes taken during an actual survey made by me on _____, 19__, (or made on _____, 19__, under my direction by _____, for whose work I stand personally responsible). Such survey is accurately represented on this plat, and correctly shows the location of the well(s) and acreage under irrigation at the time of the survey (or correctly shows the location of the well(s) and point(s) of use at the time of the survey).

(Signed) _____
(Engineer or Surveyor)

Wyoming
Registration No. _____
(Indicate -- PE and/or LS)

- - - - -

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- (2) All quadrangle maps must have the following certificate:

- - - -

CERTIFICATE OF SURVEYOR

STATE OF WYOMING)
) SS.
COUNTY OF _____)

I, _____ of _____ hereby certify that this map was made by _____ on _____, 19__, and correctly shows the location of the well(s) and point(s) and area(s) of use at the time this map was prepared.

(Signed) _____
(Engineer or Surveyor)

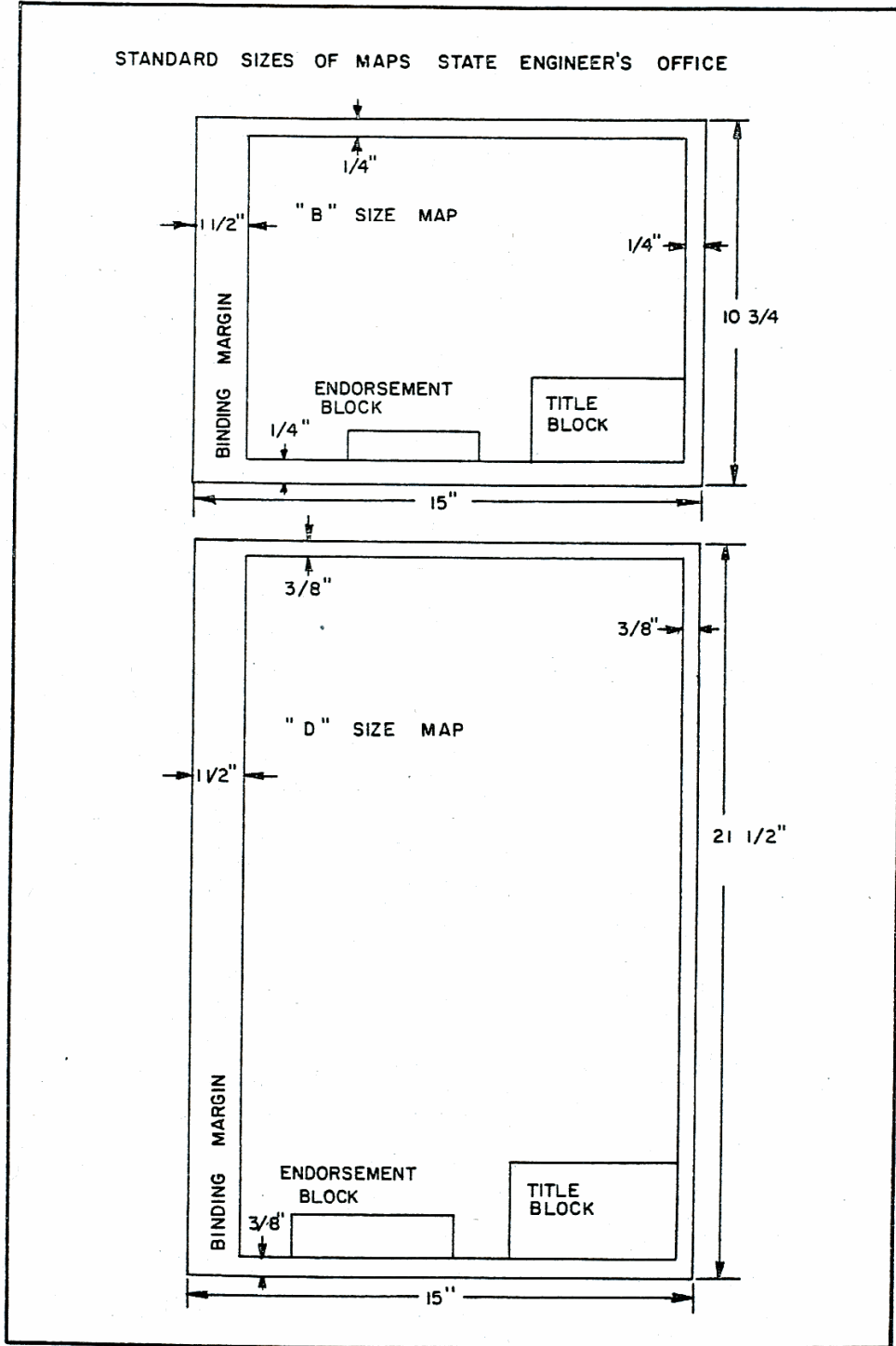
Wyoming PE or LS No. _____

- - - -

NOTE: All certificates should also credit the use of information obtained from other sources where other sources are used. Care should be taken that certification indicates the source of all information shown on the map.

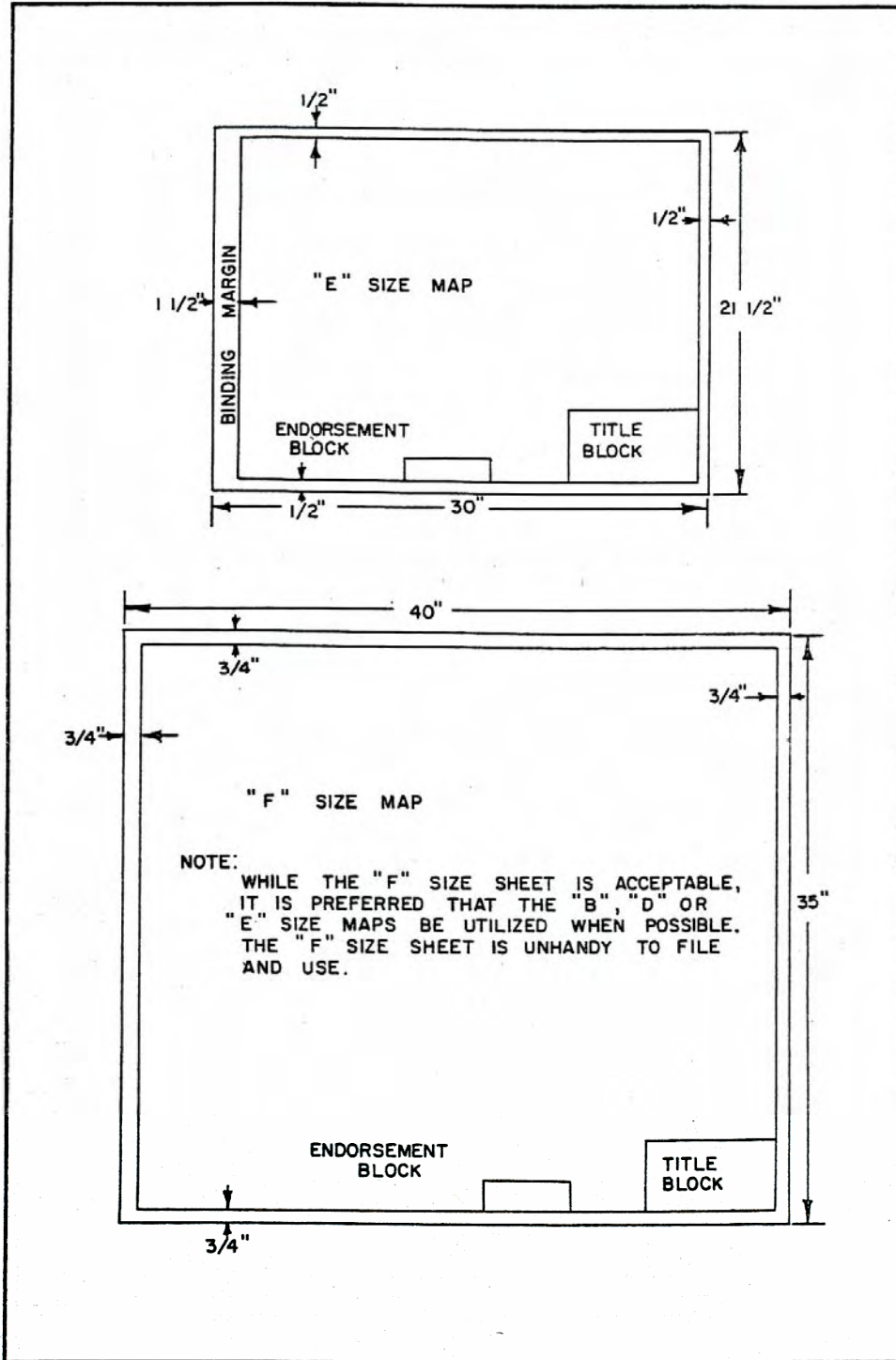
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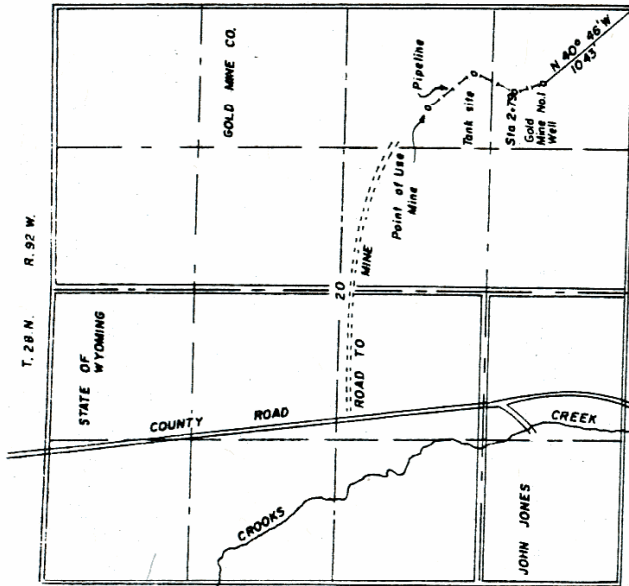
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<p style="text-align: center;">(REFERENCE BLOCK) (FOR USE BY THE STATE ENGINEER'S OFFICE)</p>	<p style="text-align: center;">TO ACCOMPANY PROOF OF APPROPRIATION AND BENEFICIAL USE OF GROUND WATER</p> <p style="text-align: center;">NAME OF WELL (S) PERMIT NO. APPLICANT (S)</p> <p style="text-align: center;">NAME (S) ADDRESS</p>
<p style="text-align: center;">LEGEND</p> <p style="text-align: center;">LANDS IRRIGATED UNDER THIS APPROPRIATION THROUGH THE UPPER JONES DITCH.</p> <p style="text-align: center;">LANDS IRRIGATED FROM SWEETWATER RIVER THROUGH THE JONES DITCH.</p> <p style="text-align: center;">NOTE: UPPER JONES DITCH CONVEYS GROUND WATER ONLY.</p> <p style="text-align: center;">JONES DITCH CONVEYS SURFACE WATER ONLY.</p>	<p style="text-align: center;">(STATE ENGINEER'S ENDORSEMENT)</p>
<p style="text-align: center;">MAP OF SEC. 16, T.30N., R.93W. SCALE 4" = 1 MILE</p>	<p style="text-align: center;">CERTIFICATE OF SURVEYOR</p> <p>STATE OF WYOMING } 55 COUNTY OF LARAMIE }</p> <p>I, JOHN DOE OF CHEYENNE HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE UNDER MY DIRECTION BY _____ FOR WHOSE WORK I STAND PERSONALLY RESPONSIBLE, ON _____ 19____. SUCH SURVEY IS ACCURATELY REPRESENTED IN THIS MAP AND CORRECTLY SHOWS THE LOCATION OF SAID WELL AND ACREAGE UNDER IRRIGATION AT THE TIME OF THE SURVEY.</p> <p style="text-align: right;">WYOMING REGISTRATION NO. P.E. L.S.</p>

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PART II.

(REFERENCE BLOCK)
(FOR USE OF OFFICE PERSONNEL ONLY)



NOTE: Pipe line from well is 1" galv steel. Piping from tank to point of use is 3 galv steel.

Station	Bearing	Distance
SE. Cor. Sec. 20	N 40° 48' W	1043
Well	N 18° 04' W	278
Sta. 2+75	N 23° 33' E	387.6
Tank Site	N 38° 56' W	523.6
Point of Use	S 27° 33' E	2036.7
SE. Cor. Sec. 20		

CERTIFICATE OF SURVEYOR
STATE OF WYOMING)
COUNTY OF LARAMIE) SS
I, JOHN R. DOE OF CHEYENNE WYOMING DOUBLY CERTIFY THAT THIS SURVEY WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE ON FEBRUARY 5, 1970 AND IT CORRECTLY REPRESENTS THE WELL, PIPELINE AND FACILITIES AS DESCRIBED IN THE ACCOMPANYING FORM.

WYOMING REGISTRATION NO. LS.8 PE.

MAP
TO ACCOMPANY PROOF OF APPROPRIATION AND BENEFICIAL USE OF UNDERGROUND WATER
NAME OF WELL
PERMIT NO.
APPLICANT(S)
NAME(S)
ADDRESS

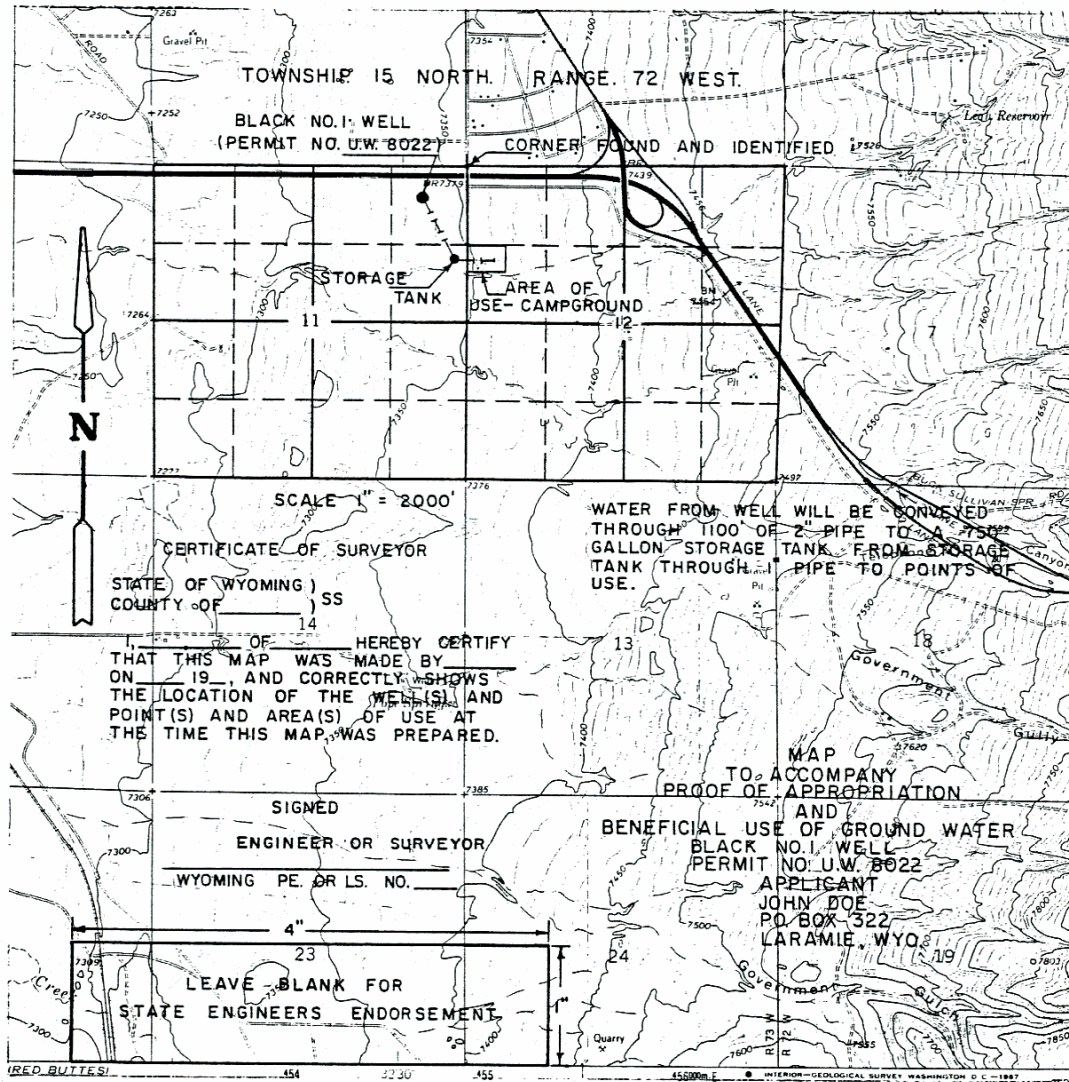
(STATE ENGINEERS ENDORSEMENT)



SCALE 1" = 1000'

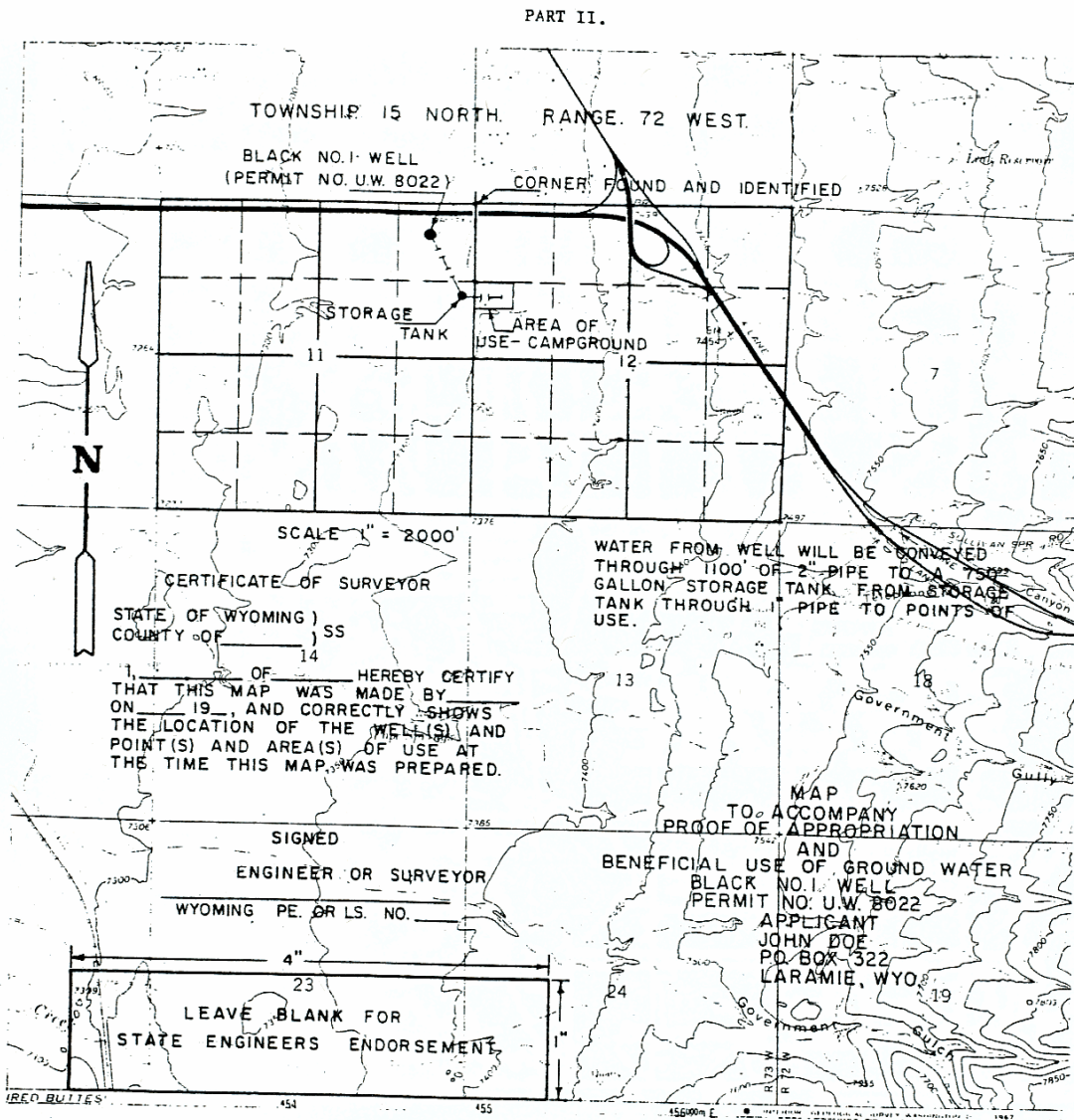
PART II.

PART II.



Example of quadrangle map prepared as Part II of the Proof of Appropriation and Beneficial Use of Ground Water.

PART II.



Example of quadrangle map prepared as Part II of the Proof of Appropriation and Beneficial Use of Ground Water.

PART II.
CHAPTER VII.

PETITIONS

Section 1. General Requirements.

a. All petitions pertaining to unadjudicated ground water rights must be filed with the State Engineer, State Office Building, Cheyenne, Wyoming, 82002.

b. All petitions pertaining to adjudicated ground water rights must be filed with the Board of Control, State Office Building, Cheyenne, Wyoming, 82002.

c. Petitions must be in the form of an affidavit and signed by the petitioner or his agent before a Notary Public or other officer authorized to administer oaths. A petition should contain the following information:

- (1) Name of facility;
- (2) Date of priority and permit number;
- (3) Detailed reasons for proposed change;
- (4) A clear statement of the amendment of change requested.

d. If the petition is by other than an individual, the authority of the petitioner or agent to present such petition must be satisfactorily shown and accompany the petition.

e. After approval, petitions are recorded in Miscellaneous Records of the State Engineer's Office. The recording fee is Two Dollars (\$2.00) for the first page, and One Dollar (\$1.00) for each subsequent page; this fee should accompany the petition.

f. The heading for all petitions should indicate the purpose of the petition, and identify the well and the permit to be changed or amended.

g. The opening statement for all petitions should identify the petitioner, show a mailing address, and give general introduction.

h. Petitions must clearly state that the appropriation being amended has been made within the terms of the permit. The petition must also assert that the appropriator is presently making beneficial use of the water right granted by the permit, or that the permit is in good standing if the construction or beneficial use has not been completed.

Section 2. Maps and Surveys.

a. Maps may not be required for most petitions concerning unad-

PART II.

judicated ground water rights. In some cases where complicated changes are proposed, a map may be required.

- b. Maps must accompany all petitions requesting changes in adjudicated ground water rights except those petitions to correct a clerical error.
- c. Maps must bear the certificate of a professional engineer or land surveyor licensed to practice in Wyoming.
- d. The map title should refer to the petition and the petitioner, and indicate in the title the intended purpose of the petition.
- e. Maps shall be prepared from field notes taken during an actual survey, which may be supplemented by information from aerial photographs and the records of the State Engineer and the State Board of Control.

Section 3. Petition for Change in Unadjudicated Ground Water Right.

a. An appropriator of ground water where the right has not been adjudicated may change the location of his well or replace his well, without loss of priority, to a point within the same aquifer, make acreage amendments, or correct errors in his original permit, by securing the approval of the State Engineer.

b. The requirement for surveys and maps (see Section 2 of this Chapter) may be waived if the change to be made is simple and can be adequately explained without a map. This generally will be true in the case of wells for domestic or stock purposes. For wells with other uses, if Part II (Plat) of Form U.W. 8, "Proof of Appropriation and Beneficial Use of Ground Water", has not yet been submitted, the map requirement also may be waived. However, the new well location or other change will have to be shown on the plat at the time that it is submitted.

- c. The following are requirements for such a petition:
- (1) **HEADING** -- Identify the well to which the changes apply, and show the date of completion and Underground Water District, if such apply.
 - (2) **OPENING STATEMENT** -- Identify the petitioner, show a mailing address, and give a general introduction.
 - (3) **ITEM 1** -- Show that the petitioner is the present owner of the well to be changed. Describe the well completely, giving the name of the well; Permit, Statement of Claim, or Well Registration Number; date of filing; and the date the well was completed. Describe the location of the well by distances in the cardinal directions (north, south, east, and west) from the nearest Government Corner (section corner or quarter section corner); also show the legal subdivision in which the well is located. This information should be available from the Statement of Claim, Well Registration, or Ground Water Permit; otherwise it

PART II.

may be obtained from field measurement. (EVIDENCE OF OWNERSHIP MUST ACCOMPANY THIS PETITION.)

(4) ITEM 2 -- Describe the location to which it is desired to move or change the well (use method set forth above), and/or describe any other changes desired.

(5) ITEM 3 -- Describe the area(s) or point(s) of use. If for irrigation, describe the lands which were irrigated under the terms of the permit (or Statement of Claim or Well Registration), indicating whether or not the lands have been irrigated up to the present time.

(6) ITEM 4 -- Give the reason why the proposed change is desired.

(7) ITEM 5 -- Specify that the well in its new location will be in the same underground basin and aquifer as its previous location. Include a statement that, subject to the allowance of the petition and completion of the new well, a Statement of Completion will be filed with the State Engineer, setting forth the usual data, and that the amount of water to be used from the new well will not exceed the amount of the original appropriation.

(8) ITEM 6 -- Specify that the old well will be properly abandoned and sealed.

(9) ITEM 7 -- State the amount of fees which accompany the petition. (IF THE PETITION IS TO BE RECORDED IN MISCELLANEOUS NOTICES INSTEAD OF MISCELLANEOUS RECORDS, NO FEE IS REQUIRED AND THIS PARAGRAPH MAY BE DELETED.)

(10) PRAYER -- State what is specifically desired by the petition.

d. The sample petition on page 66 (for change of location and name of a well) may be used as a guide for preparing a petition for change in unadjudicated ground water right.

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PETITION FOR CHANGE IN LOCATION)
AND CHANGE OF NAME OF BECK NO. 1)
WELL, PERMIT NO. U.W. 50, COM-)
PLETED JANUARY 3, 1948, LARAMIE)
UNDERGROUND WATER DISTRICT.)

BEFORE THE
STATE ENGINEER
CHEYENNE, WYOMING

STATE OF WYOMING)
) SS.
COUNTY OF ALBANY)

COMES NOW, John Doe of Box 451, Je1m, County of Albany, State of Wyoming, who being duly sworn on oath according to law, does hereby make the following statement of facts and petition:

1. THAT he is the owner of Beck No. 1 Well, recorded in the State Engineer's Office under Permit No. U.W. 50, filed April 30, 1947, completed January 3, 1948, and located at a point 1800 feet south and 354 feet west of the north quarter corner of Section 33, T.13N., R.73W., and situated in the SE1/4 NW1/4 of said Section 33, and is also the sole owner of the lands irrigated thereunder, as evidenced by the Certificate of Ownership from the County Clerk of Albany County, which accompanies this petition.

2. THAT it is desired to move the location of the Beck No. 1 Well, Permit No. U.W. 50, to a new location which is a point 1475 feet south and 40 feet west of the north quarter corner of Section 33, T.13N., R.73W., and situated in the SE1/4 NW1/4 of said Section 33. It is also desired that the replacement well be named the Doe No. 1 Well.

3. THAT the following lands were irrigated within the terms of Permit No. U.W. 50 and have been irrigated up to the time of failure of the Beck No. 1 Well:

Section 33, T.13N., R.73W.

40 acres – SE1/4 NW1/4
11 acres – NE1/4 NW1/4
7 acres – SW1/4 NE1/4
58 acres – TOTAL

4. THAT the reason for these requested changes is that the Beck No. 1 Well has failed due to casing collapse, and that John Doe is the new owner of the lands on which the water will be used.

5. THAT the Doe No. 1 Well at the new location will be within the same underground water basin as the original (Beck No. 1) well, and will draw water from the same aquifer, as nearly as can be determined. Subject to the allowance of this petition, a Statement of Completion and Description of Well form will be submitted to the State Engineer within 30 days after completion of the new well. The amount of water to be used from the new well will not exceed 450 gallons per minute, the amount of the original appropriation.

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6. THAT the Beck No. 1 Well has been abandoned and will be completely plugged and capped according to standards set forth by the State Engineer.

7. THAT recording fees in the amount of \$_____ accompany this petition.

IT IS THE PRAYER of the petitioner that he be allowed to change the location of the Beck No. 1 Well, Permit No. U.W. 50, without loss of priority, as set forth in Items 1 and 2 above; that the replacement well be called the Doe No. 1 Well; that a proper endorsement be made on Permit No. U.W. 50, and that this petition be recorded in Miscellaneous Records in the State Engineer's Office.

Respectfully submitted,

(Signed) _____
JOHN DOE

The foregoing instrument is acknowledged before me this _____ day of _____, 19____.

Witness my hand and official seal.

(Signed) _____
Notary Public

My commission expires: _____

- - - -

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Section 4. Petition to Correct Errors and Misdemeanors.

a. A petition to correct errors and misdemeanors must be made by the owner of the lands or his agent. It must be accompanied by conclusive evidence to show that the change desired was caused by an error or misdemeanor. Maps may or may not be required, depending on the character of the error which is being corrected. A petition to correct errors and misdemeanors must meet the following requirements:

(1) HEADING -- State the purpose of the petition, identify the well by permit number and name.

(2) OPENING STATEMENT -- Identify the petitioner, show a mailing address, and give general introduction.

(3) ITEM 1 -- State that the petitioner is the sole owner of the well and lands irrigated thereby; which statement should be substantiated by documentary evidence, such as a Certificate of Ownership from the County Clerk of the county in which the lands are located, or assignment of well or other sufficient instrument if the petitioner is not the permittee of record.

(4) ITEM 2 -- Give the status of the permit, such as "Permit No. U.W. 00000 is in good standing, with all the required notices filed, and that beneficial use of water is presently being made within the terms of the permit."

(a) If the permit being amended is not completed insofar as construction or beneficial use of water is concerned, a statement should be substituted for the above, indicating that the permit has not expired and is in good standing.

(5) ITEM 3 -- Describe the portion of the permit, as originally filed, in error.

(6) ITEM 4 -- Describe the desired correction.

(7) ITEM 5 -- State how the error occurred if this information is available.

(8) ITEM 6 -- State whether or not any other appropriator will be injured in any way by the correction or error in description.

(9) ITEM 7 -- State whether or not a map is necessary to accompany this petition.

(10) ITEM 8 -- Indicate the amount of fees which accompany this petition.

(11) PRAYER -- Set-out the prayer of the petitioner. The prayer of the petitioner should set-out the results the petitioner desires to accomplish.

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b. The sample petition on page 70 may be used as a guide for preparing a petition to correct errors and misdescriptions.

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PETITION TO CORRECT ERRORS) BEFORE THE
IN PERMIT NO. U.W. 20123,) STATE ENGINEER
THE JONES NO. 1 WELL) CHEYENNE, WYOMING

STATE OF WYOMING)
) SS.
COUNTY OF CROOK)

COMES NOW, John Jones and Simon Smith, both of Beulah, County of Crook, State of Wyoming, who being duly sworn on oath according to law, do hereby make the following statement of facts and petition:

1. THAT they are the sole owners of Permit No. U.W. 20123, the Jones No. 1 Well, with a priority of October 12, 1958, and all the lands irrigated thereunder, as evidenced by the Certificate of Ownership of the County Clerk of Crook County accompanying this petition.

2. THAT Permit No. U.W. 20123 is in good standing, with all of the required notices filed, and that beneficial use of water is presently being made within the terms of the permit.

3. THAT Permit No. U.W. 20123 and the accompanying map copy shows the Jones No. 2 Well, Permit No. U.W. 20124, supplying water to the 5 acres located in the NE1/4 NE1/4 Section 10, T.53N., R.64W.

4. THAT said Jones No. 2 Well does not irrigate these lands and that the lands are actually being irrigated by the Jones No. 1 Well.

5. THAT the petitioners do not know how such error in description occurred, but presume that it may have been made by the applicant for Permit No. U.W. 20123.

6. THAT no other appropriator from the same source of supply will be injured in any way by this correction of error in description in Permit No. U.W. 20123.

7. THAT a linen map will not accompany this petition as it appears unnecessary since the petition only prays for the correction of errors in the permit, and the original map showed the location properly except for the error in the name of source of supply and the number of the township.

8. THAT recording fees in the amount of \$_____ accompany this petition.

IT IS THE PRAYER of your petitioner that Permit No. U.W. 20123 and the original map be corrected by proper endorsement thereon; that a proper notation be entered on the record of Permit No. U.W. 20123 to correctly show the 5 acres in the NE1/4 NE1/4 Section 10, T.53N., R.64W. as being supplied by the Jones No. 1 Well and not the Jones No. 2 Well; and that the petition be recorded in Miscellaneous Records in the State Engineer's Office.

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Respectfully submitted,

(Signed) _____
JOHN JONES

(Signed) _____
SIMON SMITH

The foregoing instrument is acknowledged before me this ____ day of _____, 19____.

Witness my hand and official seal.

(Signed) _____
Notary Public

My commission expires: _____

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Section 5. Petition for Amendment of Description of Land.

a. Under the provisions of Section 41-213(A), Wyoming Statutes 1957, as amended by Section 1, Chapter 214, Session Laws of Wyoming 1961, the State Engineer is authorized, upon written petition of the owner, to amend any permit to appropriate water prior to the adjudication by the State Board of Control for the purpose of correcting errors or otherwise, when in his judgment such amendment appears desirable or necessary; provided the total area of lands may not exceed the area described in the original permit. A petition for amendment of description of land must meet the following requirements:

(1) HEADING -- State the purpose of the petition, identify the well by permit number and name.

(2) OPENING STATEMENT -- Identify the petitioner, show a mailing address, and give general introduction.

(3) ITEM 1 -- State that the petitioner is the sole owner of the well and the lands irrigated thereunder. This statement should be substantiated by a Certificate of Ownership of the County Clerk of the county in which the lands are located.

(a) If the lands are included in an Irrigation District, the co-petitioners should be the district, acting through its duly authorized agent and the owner of the well. The petition should state that the lands affected are within the district, and should specify the ownership.

(4) ITEM 2 -- Give the status of the permit, such as "Permit No. U.W. 00000 is in good standing, with all the required notices filed, and that beneficial use of water is presently being made within the terms of the permit."

(a) If the permit being amended is not completed insofar as construction or beneficial use of water is concerned, a statement should be substituted for the above, indicating that the permit has not expired and is in good standing.

(5) ITEM 3 -- State the reason a correction or amendment of land description is desired or necessary.

(6) ITEM 4 -- Describe the lands which are to be excluded from the permit.

(7) ITEM 5 -- Describe the lands which are to be substituted in lieu of the lands being excluded. The total area of the substituted lands cannot exceed the total area of the lands proposed to be excluded from the permit.

(8) ITEM 6 -- State whether or not any other appropriator will be injured.

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(9) ITEM 7 -- The accompanying map should show accurately the location of the well, the location and extent of the lands proposed to be excluded from the permit, and the location and extent of the lands to be substituted in lieu thereof. The map must also show the means by which the substituted lands will be irrigated.

(10) ITEM 8 -- Indicate the amount of fees which accompany this petition.

(11) PRAYER -- Set-out the prayer of the petitioner. The prayer of the petitioner should clearly describe the requested amendment of description of land.

b. The sample petition on page 74 may be used as a guide for preparing a petition for amendment of description of land.

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PETITION FOR AMENDMENT OF LAND) BEFORE THE
DESCRIPTION IN PERMIT NO. U.W.) STATE ENGINEER
20345, THE GREEN NO. 1 WELL) CHEYENNE, WYOMING

STATE OF WYOMING)
) SS.
COUNTY OF SWEETWATER)

COMES NOW, Fred Smith of Green River, County of Sweetwater, State of Wyoming, and who being duly sworn on oath according to law, does make the following statement of facts and petition:

1. THAT the lands referred to in this petition are owned by Fred Smith as evidenced by the accompanying Certificate of Ownership.
2. THAT Permit No. U.W. 20345 is in good standing, with all of the required notices filed, and that beneficial use of water is presently being made within the terms of the permit.
3. THAT certain lands under Permit No. U.W. 20345, the Green No. 1 Well, with priority of February 26, 1959, owned by Fred Smith, have been flood irrigated.
4. THAT the lands referred to above as having been flood irrigated are described as follows:

Section 15, T.26N., R.98W.

6 acres – SW1/4 NE1/4
24 acres – SE1/4 NE1/4
40 acres – NE1/4 SE1/4
40 acres – NW1/4 SE1/4
35 acres – SW1/4 SE1/4
17 acres – SE1/4 SE1/4
162 acres – TOTAL

5. THAT certain lands owned by Fred Smith, which are not included in the lands irrigable under Permit No. U.W. 20345, the Green No. 1 Well, may be irrigated and produce crops; these lands are described as follows:

Section 15, T.26N., R.98W.

5 acres – SW1/4 SE1/4
23 acres – SE1/4 SE1/4
28 acres – TOTAL

6. THAT it is desired to omit the 6 acres in the SW1/4 NE1/4 and the 24 acres in the SE1/4 NE1/4 of Section 15, T.26N., R.98W. from Permit No. U.W. 20345 and incorporate the acreage in Item 5. The reason being that it is more feasible to install a center pivot self-propelled sprinkler system.

PART II.

7. THAT the exclusion of lands described in Item 4, and the inclusion of the lands described in Item 5 in lieu thereof in Permit No. U.W. 20345, the Green No. 1 Well, will not injure other appropriators from the same source of supply.

8. THAT a map in duplicate, prepared by John Smith, a licensed professional engineer of Rock Springs, Wyoming, showing the situation, accompanies this petition.

9. THAT recording fees in the amount of \$_____ accompany this petition.

IT IS THE PRAYER of the petitioner that some of the lands described in Item 4 be excluded from the irrigable lands described in Permit No. U.W. 20345, the Green No. 1 Well; that the lands described in Item 5 be included in lieu thereof, in the irrigable lands in Permit No. U.W. 20345; and that this petition be recorded in Miscellaneous Records in the State Engineer's Office.

Respectfully submitted,

(Signed) _____
FRED SMITH

The foregoing instrument is acknowledged before me this _____ day of _____, 19____.

Witness my hand and official seal.

(Signed) _____
Notary Public

My commission expires:_____.

PART II.

Section 6. Petition for Exchange of Water. The petition format to be followed for exchanges of water can be found in Chapter IX, Section 7 of the Manual of Surface Water Regulations and Instructions.

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CHAPTER VIII.

RULES OF PRACTICE IN CONTESTED MATTERS

Section 1. Authority. These rules are promulgated by the State Board of Control and the State Engineer, as authorized by Section 2, Article 8, Wyoming Constitution, and Sections 41-154, 41-155, 41-164, 41-190, 41-211 (Section 1, Chapter 180, Session Laws of Wyoming 1965), and 9-276.19 (Laws 1965), Wyoming Statutes 1957.

Section 2. Definitions. The following definitions shall prevail in these rules:

- a. BOARD - The State Board of Control.
- b. CONTESTANT - Shall include any party instituting a contest of any petition, proof of appropriation of water, or filing a petition for abandonment of an adjudicated water right before the State Board of Control, the State Engineer, or a Water Division Superintendent.
- c. CONTESTEE - Shall include any party filing a petition or proof of appropriation of water before the State Board of Control, the State Engineer, or a Water Division Superintendent, which is being opposed or contested.
- d. HEARING OFFICER - The State Board of Control, the State Engineer, or a Superintendent acting as a presiding officer at a hearing.
- e. ENGINEER - The State Engineer.
- f. PRESIDENT - The State Engineer acting as President of the State Board of Control.
- g. SUPERINTENDENT - Water Division Superintendent.
- h. SECRETARY - Deputy State Engineer as Ex-officio Secretary of the State Board of Control.

Section 3. Applicability. These rules are applicable to all contested or adversary proceedings before the Board of Control or a Superintendent or the Engineer.

Section 4. Initiation. Contests shall be initiated in the manner prescribed by the Statutes cited in Chapter III of the Board of Control portion of the Manual of Regulations and Instructions.

Section 5. Notices and Service. Notices shall be as prescribed by the Statutes found in Chapter III of the Board of Control portion of the Manual of Regulations and Instructions and shall be served as therein provided. When private persons are the moving parties, other parties to the proceedings shall be given prompt notice of issues controverted in fact or law. When the hearing is initiated by the Hearing

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Officer, he may require responsive pleadings.

Section 6. Pleadings. Pleadings shall be those required by Statutes noted in Chapter III of the Board of Control portion of the Manual of Regulations and Instructions.

Section 7. Docket. When a proceeding becomes contested, the Hearing Officer, who is to hear the controversy, shall notify the Secretary of the names of the parties, the date of filing, and the nature of the controversy. The Secretary shall then assign it a number and enter the proceeding, with the date of its filing, on a separate page of a docket provided for such purposes. The Secretary shall establish a separate file for each such docketed case, in which shall be systematically placed all papers, pleadings, documents, transcripts and evidence pertaining thereto, and all such items shall have noted thereon the docket number assigned and date of filing.

Section 8. Form of Pleadings. The form of pleadings for contested cases shall be substantially as on the following page:

PART II.
PLEADINGS

BEFORE THE STATE ENGINEER

STATE OF WYOMING

John Doe,)
)
Contestant,)
)
vs.)
)
Harry Roe,)
)
Contestee,)

Docket No. _____

PETITION

(Answer, Motion, etc.)

STATE OF WYOMING)
)
) SS.
COUNTY OF _____)

Contestant states:

- 1.
- 2.
- 3.
4. etc.

(Signed) _____
Name typed or printed
Contestant (Contestee)

_____(Signed)
Name typed or printed
Address
Attorney for Contestant (Contestee)

PART II.

Section 9. Default. In the event of the default of any party within the time allowed, provided service has been made as required and after due notice to both parties, the Hearing Officer, if he so desires, may order those parties in attendance to present their evidence. If the Hearing Officer determines that there is no material fact in issue, he need not hold the hearing. In either event, the contest will be brought before the State Engineer for consideration and appropriate action.

Section 10. Disposition of Case by Stipulation. Any case may be partially or finally disposed of by stipulation of the parties, approved by the State Engineer. An appropriate Order accordingly shall be entered in the case records.

Section 11. Pre-hearing Conference.

a. As authorized by Section 9-276.30 (a) and (b) (Laws 1965), Wyoming Statutes 1957, at a time on or before the day of the hearing in a contested case, the State Engineer or the Superintendent may direct the parties or their attorneys to consider:

- (1) The simplification of the issues.
- (2) The necessity or desirability of amending the pleadings.
- (3) The possibility of obtaining admission of fact and of documents which will avoid unnecessary proof.
- (4) Stipulations as to qualifications of expert witnesses.
- (5) Such other matters as may aid in the disposition of the case.

b. Such conference shall be conducted informally. A memorandum will be prepared which recites the action taken at the conference, amendments allowed, agreements of the parties, and limiting the issues to those not disposed of by admission or agreements of counsel and the parties. The pre-hearing memorandum shall control the course of the hearing unless modified by the State Engineer to prevent manifest injustice.

Section 12. Motions. The Hearing Officer, after 10 days notice by him, may hear any motion filed in connection with contests to be heard by him. It shall be within his discretion as to whether such hearing shall be oral, or upon the exchange of briefs, or other writings, or a combination thereof.

Section 13. Hearing Before Full Board. Any hearing provided by law to be held before a Superintendent may, at the discretion of the State Engineer or the Board, be held before the full Board upon stipulation of the parties.

Section 14. Subpoenas. As authorized by Section 9-276.25(d) (Laws

PART II.

1965), Wyoming Statutes 1957, subpoenas for appearance and to produce books, papers or documents, will be issued by the Superintendent, Secretary or State Engineer, as appropriate, by written request.

Section 15. Hearing. After the issues shall have been defined, the State Engineer shall set a date for hearing and shall fix such date and notify all parties in interest of record of the date and place of hearing at least 15 days prior to the date thereof; or such notice as may be required by Statute, which notice may be given personally or by prepaid mail, or as required by Statutes found in Chapter III of the Board of Control portion of the Manual of Regulations and Instructions.

Section 16. Order of Procedure at Hearing. As nearly as may be practicable, hearings shall be conducted in accordance with the following order of procedure:

a. The Hearing Officer shall announce that the hearing is called to order to transact business and call by Docket Number and Title the case to be heard.

b. The Hearing Officer will briefly review the case and any evidence previously presented.

c. The Contestant will be allowed an opening statement to briefly explain his position and outline the evidence he proposes to offer, together with its purpose.

d. The Contestee will be allowed an opening statement, in the same manner as allowed Contestant.

e. The Contestant's evidence will be heard. Witnesses may be cross-examined by the Contestee. The Hearing Officer, or his advisors, may examine witnesses. Contestant's offered exhibits will be marked by letters of the alphabet, beginning with "A".

f. The Contestee's evidence will be heard in the same manner as allowed Contestant. Contestee's exhibits will be marked with numbers, beginning with "1".

g. The Hearing Officer, with the assistance of the Attorney General or member of his staff, will introduce any evidence required on behalf of the Board or Superintendent.

h. The Contestant may offer rebuttal evidence.

i. The Board, Superintendent or State Engineer, may in their discretion, allow evidence to be offered out of the order as herein prescribed. A witness will be permanently excused when all his testimony has been concluded and no good reason exists for his remaining in attendance.

j. Closing statements will be made in the following sequence:

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- (1) Contestant.
- (2) Contestee.
- (3) Contestant in rebuttal.

k. The Hearing Officer may recess the hearing as required.

l. Parties may tender briefs, or the Hearing Officer may call for such briefs as may be desirable.

m. After all interested parties have been offered an opportunity to be heard, the Hearing Officer shall excuse all witnesses not previously excused and declare the evidence closed. The evidence of the case may be reopened at a later date and before a final Order has been made, for good cause shown, by Order of the State Board of Control, upon motion of any party to the proceeding, the Superintendent, the State Engineer, or the Board.

n. The Hearing Officer will declare that the case is being taken under advisement and that findings and an Order will be announced. He will make such announcement as may be appropriate with respect to further disposition of the case.

Section 17. Witnesses at Hearings to be Sworn. All persons testifying at any hearing, before the Board, Superintendent or State Engineer, shall stand and be administered the following oath by the Hearing Officer:

"Do you swear (or affirm) that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth and nothing but the truth in this hearing now before the (Board, Superintendent, State Engineer)?"

Section 18. Applicable Rules of Civil Procedure to Apply. Proceedings before a Hearing Officer shall be conducted in accordance with the rules of practice and procedure contained in the Rules of Civil Procedure of the State of Wyoming, insofar as the same may be applicable and not inconsistent with the laws of the State of Wyoming, including the Administrative Procedure Act (Sections 9-276.19 through 9-276.33 (Laws 1965), Wyoming Statutes 1957), and those pertaining in particular to the State Board of Control, the State Engineer and the Superintendents of the Water Divisions. For the application of such Rules of Civil Procedure, the Deputy State Engineer is designated as the Clerk as in the relationship of a Clerk of Court to a Court.

Section 19. Attorneys. The filing of a pleading by an attorney constitutes his appearance for the party for whom the pleading is filed. The Board, Superintendent or State Engineer must be notified, in writing, of the withdrawal of an attorney from any case.

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Section 20. Attorney General Present. In all contested matters before a Hearing Officer, the Attorney General or a member of his legal staff may be present to assist and advise.

Section 21. Taking of Testimony - Reporter. Where oral testimony of witnesses is taken in a contested case, before the Board, Superintendent or State Engineer, the testimony will be reported by a competent reporter who shall be satisfactory to the Board, Superintendent or State Engineer, or by other appropriate means. The compensation of such reporter for taking the testimony shall be paid as required by law or as ordered. A transcript of testimony for the record will be furnished, as required by law, to the Board, Superintendent or State Engineer.

Section 22. Compensation of Reporters. Reporters or stenographers will be allowed such compensation and fees for reporting or transcribing from an electronic device, testimony in contested cases before the Board, Superintendent or State Engineer, as may be lawful and proper.

Section 23. Decision, Findings of Fact, Conclusions of Law and Order. The State Engineer shall make a written decision and Order containing Findings of Fact and Conclusions of Law. Such decision and Order shall be made of record in the Office of the State Engineer and will, without further action, become the decision and Order in the case on the 15th day thereafter. Forthwith upon receipt, the State Engineer shall send a copy, by prepaid mail, to each party or his attorney.

Section 24. Appeals and Reserved Questions to District Court. Judicial review by the District Court, from decisions of the State Engineer, are governed by statute, and Rule 72.1 of the Rules of Civil Procedure, as amended and promulgated by the Supreme Court of Wyoming.

Section 25. Amendment of Rules. Any amendments to these rules shall become effective as provided by Sections 9-276.20 through 9-276.24 (Laws 1965), Wyoming Statutes 1957.