

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

8:00 AM 12/04/02

# STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

SCANNED JAN 22 2010

## SUBSTITUTE APPLICATION FOR PERMIT TO APPROPRIATE SURFACE WATER

**THIS SECTION IS NOT TO BE FILLED IN BY APPLICANT**

Filing/Priority Date

THE STATE OF WYOMING, }  
STATE ENGINEER'S OFFICE } SS.

This instrument was received and filed for record on the 22nd day of September, A.D. 2000, at 2:00 o'clock P. M.

John Barnes  
JOHN BARNES, for State Engineer

Recorded in Book 2 of Ditch Permits, on Page 24.

Fee Paid \$ 50.00 Map Filed E

WATER DIVISION NO. 1 DISTRICT NO. 9 Temp. Filing No. 30 3/180

PERMIT NO. 84 I.F.

SUBSTITUTE APPLICATION REC'D 12/04/02 @ 8:00AM E-29

NAME OF FACILITY Wagonhound Creek / INSTREAM FLOW

1. Name(s), mailing address and phone no. of applicant(s) is/are Wyoming Water Development Commission  
Herschler Building, Cheyenne, WY 82002 6920 YELLOWTAIL RD.

(If more than one applicant, designate one to act as Agent for the others)

2. Name & address of agent to receive correspondence and notices Wyoming Game and Fish Department  
5400 Bishop Blvd., Cheyenne, WY 82006

3. (a) The use to which the water is to be applied is Instream Flow

(b) If more than one beneficial use of water is applied for, the location and ownership of the point of use must be shown in item 10 of the application and the details of the facilities used to divert and convey the appropriation must be shown on the map in sufficient detail to allow the State Engineer to establish the amount of appropriation. In multiple use applications, stock and domestic purposes are limited to 0.056 cubic feet per second.

4. The source of the proposed appropriation is Wagonhound Creek tributary to the Medicine Bow River  
TRIBUTARY NORTH PLATTE RIVER

5. The instream flow segment point of diversion of the proposed works is located extends from the south boundary in the SW<sup>1</sup>SE<sup>4</sup> feet distant from the corner of Section 31 T. 19 N., R. 79 W., and is in the to the northern boundary in Lot 1 (NW NE) of Section 6 T. 19 N., R. 79 W. ORIG. SURV.  
Lot      Block      Subdivision Name      Length of stream is approximately 8.5 miles.

6. Are any of the lands crossed by the proposed facility owned by the State or Federal government? If so, describe lands and indicate whether State or Federally owned.  
All lands crossed by this stream segment are owned by the Wyoming Game and Fish Department or administered by the US Forest Service. STATE LANDS.

7. The carrying capacity of the ditch, canal, pipeline or other facility at the point of diversion is see remarks cubic feet per second.

8. The accompanying map is prepared in accordance with the State Engineer's Manual of Regulations and Instructions for filing applications and is hereby declared a part of this application. The State Engineer may require the filing of detailed construction plans.

9. The estimated time required for the completion of construction is 30 days, and to complete the application of water to the beneficial uses stated in this application is 30 days from issue.

The estimated time required for the commencement of work is 30 days.



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 permit grants only the right to use the water available in the stream after all prior rights are satisfied.

1. This permit is granted for the natural flows:

- October - up to 2.2 cfs
- November - up to 2.2 cfs
- December - up to 2.2 cfs
- January - up to 2.2 cfs
- February - up to 2.2 cfs
- March - up to 2.2 cfs
- April - up to 2.2 cfs
- May - up to 2.2 cfs
- June - up to 2.2 cfs
- July - up to 2.2 cfs
- August - 1.4 cfs
- September - 1.0 cfs

for instream flow purposes throughout the 8.5 stream mile segment of Wagonhound Creek beginning at the southern boundary in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 31, T19N, R79W, and ending at the northern boundary in Lot 1, Section 6, T19N, R79W.

2. The Wyoming Game and Fish Department shall construct any measuring devices which will be necessary for the administration of this instream flow appropriation as may be ordered by the State Engineer, (W.S. 41-3-1003(a)).

3. This permit is subordinate to junior priority permits for Stock Watering uses (20 acre-feet or less, each or 0.056 cubic feet of water per second of time or less) and Domestic uses (25 gallons per minute or less, each) of water from Wagonhound Creek and streams upstream of the Instream Flow Segment, as such uses may be permitted by the State Engineer in the future.

4. Notices of commencement and completion are waived in accordance with W.S. 41-3-1006(f). Beneficial use shall be deemed to be completed 30 days after permit approval as provided by W.S. 41-3-1006(f). Final proof of appropriation shall not be submitted until three years after completion of beneficial use.

The time for completing the construction work shall terminate on December 31, 20\_\_\_\_\_.

The time for completing the application of water to beneficial use shall terminate on December 31, 20\_\_\_\_\_, and final proof of appropriation shall be made within 5 years thereafter.

Witness my hand this 24 day of August, A.D. 2009.

  
PATRICK T. TYRRELL, State Engineer

PERMIT NO. 84 I.F.

PERMIT STATUS

Priority Date September 22, 2000

Approval Date August 24, 2009

**PROOF PREPARED  
ADJUDICATION IN PROCESS**

NOTICE

This permit, does not constitute a complete water right. It is your authority to begin construction work.

All appropriations for irrigation are limited to 1 cubic foot per second of time for each 70 acres of land irrigated, except as provided in Section 41-4-320, Wyoming Statutes, 1977. Appropriations for other uses are limited to the amount of water beneficially used in accordance with the terms of the permit.

Notice of completion of work and of application of the water to the beneficial uses described in the permit, must be filed in the State Engineer's Office before the expiration of the time allowed in the permit.

If extensions of time beyond the time limits set forth in the permit are required, requests for same must be in writing, stating why the additional time is required, and must be received in the State Engineer's Office before the expiration of the time allowed in the permit.

To perfect your water right, your Water Division Superintendent, or his authorized representative, will contact you after you have submitted notice to the State Engineer stating that you have applied the water to the beneficial uses described in your permit. After execution of the proof, it will be considered by the State Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Appropriation which will constitute a completed water right.

The granting of a permit does not constitute the granting of right-of-way. If any right-of-way is necessary in connection with the application it should be understood that this responsibility is the applicant's.