

PV 040 L266165 A001

50.00

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

STATE OF WYOMING

OFFICE OF THE STATE ENGINEER

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 16th day of June, A.D. 2006, at 1:25 o'clock P M.

John R. Barnes
JOHN R. BARNES for State Engineer

Recorded in Book 2 of Ditch Permits, on Page 43.

Fee Paid \$ 50.00 Map Filed E-29, 103F

WATER DIVISION NO. 1 DISTRICT NO. 9 Temp. Filing No. 33 1/276

PERMIT NO. 103 I.F.

NAME OF FACILITY Rock Creek Instream Flow

1. Name(s), mailing address and phone no. of applicant(s) is/are Wyoming Water Development Commission
6920 Yellowtail Rd.
Cheyenne, Wyoming 82009 307-777-7626

(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 & Fish Commission
5400 Bishop Blvd., Cheyenne, Wyoming 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 Rock Creek, Trib. Medicine Bow River, Trib. North Plate River

The Segment of Instream Flow is from the confluence of ELK CREEK drainages in Section 15 T. 18 N., R. 79 W. 1016.5000
5. The point of diversion of the proposed works is located feet distant to the
from the NE 1/4 NE 1/4 corner of Section 15 T. 18 N., R. 79 W. 1016.5000
North Boundary of the NE 1/4 NW 1/4 of Section 36 T. 19 N., R. 79 W. (CORR. SURV.)

Lot Block Subdivision Name P.O.B. 41° 32' 18.5" 106° 15' 5.8" P.O.E. 41° 34' 57.6" 106° 13' 31.5"

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.

Section 36, T19N R79 W State Land, ALL

Section 2, T18N, R79 W Federal - ALL

Section 10, " " "

Sections, 11, 15 " " "

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.

Permit No. 103 I.F.

Page No. 43
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10. The land to be irrigated under this permit is described in the following tabulation. (Give irrigable acreage in each 40-acre subdivision. Designate ownership of land, Federal, State or private. If private, list names of owners and land owned separately.) If application is for stock, domestic, or for purposes other than irrigation, indicate point of use by 40-acre subdivision and owner.

| Township | Range | Sec. | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | TOTALS | |
|-------------|-------|------|-------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|--|
| | | | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | | |
| 19N | 79W | 36 | STATE LANDS | | | | X | X | X | | | X | X | | | | | | | |
| (ORIG SURV) | | 35 | USFS | | | | | | | | | | | | | | X | X | | |
| 18N | 79W | 2 | USFS | | | | L.2 | | | | L.3 | | | | | | | | | |
| (ORIG SURV) | | 11 | USFS | | | | X | X | X | | | | | X | X | | | | | |
| | | 10 | USFS | | | | | | | | | | | | | X | | | X | |
| | | 15 | X | USFS | | | | | | | | | | | | | | | | |

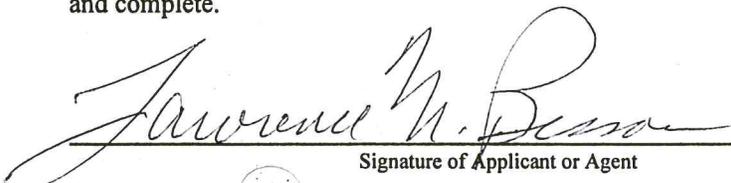
Number of acres to receive original supply N/A
 Number of acres to receive supplemental supply N/A
 Total number of acres to be irrigated N/A

REMARKS

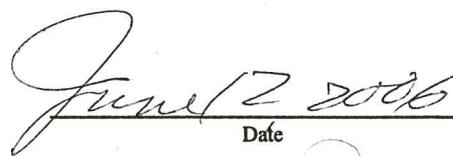
Instream Flow Requested: Natural direct flows are requested for the following amounts.
Up To:
21 CFS From Oct. 1 to 31. Up to 17 cfs for Nov. 1 to Nov. 30, up to 15 cfs for Dec. 1 to Dec. 31
Up to 13 CFS Jan. 1 to March 31
Up to 30 CFS April 1 to April 30; Up to 60 CFS May 1 to June 30
Up to 21 CFS from July 1 to Sept. 30
These amounts are requested throughout the reach segment whenever they are naturally available during the seasons specified to maintain or improve habitat for Rainbow Trout.

Base on a study in 1997 by the Wyoming Game & Fish Department.

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 Agent



 Date

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 21 cfs
 - November - up to 17 cfs
 - December - up to 13 cfs
 - January - up to 12 cfs
 - February - up to 12 cfs
 - March - up to 12 cfs
 - April - up to 30 cfs
 - May - up to 60 cfs
 - June - up to 60 cfs
 - July - up to 21 cfs
 - August - up to 21 cfs
 - September - up to 21 cfs

for instream flow purposes throughout the 3.9 stream mile segment of Rock Creek beginning at confluence of Rock Creek and Elk Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T18N, R79W, and ending at the north boundary of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, 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 Rock 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 5 day of September, A.D. 2013.



PATRICK T. TYRRELL, State Engineer

PERMIT NO. 103IF

PERMIT STATUS

Priority Date June 16, 2006

Approval Date September 5, 2013

**PROOF PREPARED
ADJUDICATION IN PROCESS**

NOTICE

This permit, does not constitute a complete water right. It is your authority to begin construction work, which must be commenced within the time allowed in the permit.

Notice of completion of the work 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.

Once the Notice of Completion has been filed, Proof of Appropriation will be prepared and sent to your Water Division Superintendent. The Superintendent will arrange with you for an inspection of the facility. Should you desire adjudication, the Proof will be considered by the Board of Control, and, if found to be satisfactory, the Board will issue to you a Certificate of Construction 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.