

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

Jade Henderson

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 11th day of March, A.D.
19 91, at 10:00 o'clock A. M.

Philip A. Velazquez
FOR GORDON W. FASSETT, State Engineer

Recorded in Book 2 of Ditch Permits, on Page 26
Fee Paid \$ 25.00 Map Filed E-29, 86F

WATER DIVISION NO. 1 DISTRICT NO. 15-5 Temp. Filing No. 27 3/185

PERMIT NO. 86 I.F.

NAME OF FACILITY Deer Creek Instream Flow Segment No. 1

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 & Fish Department
5400 Bishop Blvd., Cheyenne, WY 82002

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 Deer Creek, a tributary of the North Platte River

5. The ~~point of diversion of the proposed works is located~~ segment of the instream flow is from ~~the proposed Deer Creek Dam in the SW 1/4 of~~ the proposed Deer Creek Dam in the SW 1/4 of
~~from the corner of Section 11 T. 31 N., R. 77 W., and is in the~~ Original Survey
~~USGS gage site in Tract 110A of Section 11 T. 32 N., R. 77 W. Indep. Resurvey.~~
(USGS gage No. 06646000 500 ft upstream of Tolland Co. No. 1 Canal)
POB = LONG 106° 1' 56.11" LAT 42° 40' 1.86" P.O.E LONG 106° 1' 41.94" LAT 42° 42' 39.51"

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.

(BLM)
All of Sections 2 and 11, T.31 N., R.77 W., are federally owned, except for Mineral Entry Survey 494 in Section 11 which is under private ownership. Lands in Sections 35 and 26, T.32 N., R.77 W., are deeded private lands for which public fishing easements have been secured by the State of Wyoming Water Development Commission.

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 commencement of work is 30 days, for 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.

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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.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
Orig. Survey																			
31 BLM	77	11		X	X		X			X	X			X		X	X		
HERSCHEL WICKETT		11								MFS 494	MFS 494								
BLM		2	X	X	X						X			X		X	X		
Indep. Resurvey																			
32	77	35	Lot 1 X	Lot 2 X	X	X									X	X	X	X	
BANNER RANCHES	35		7A 110	7A 110											7A 110	7A 110	7A 110	7A 110	
		26																	
Orig. Survey															A	B	C	D	
32	77	26													X	X	X	X	
BANNER RANCHES			(now being Tract Nos. 110A, 110B, 110C, 110D respectively, of the Independent Resurvey)																

Number of acres to receive original supply _____

Number of acres to receive supplemental supply _____

Total number of acres to be irrigated _____

REMARKS

MONTHLY INSTREAM

FLOW REQUESTED

Month	Flow (cfs)	APPROVED FLOW
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~~APPROVED~~
FLOW

Based on the results of a study conducted in 1984 by the Wyoming Game and Fish Department (attached,) a flow

right of 10 cfs is requested from October 1 to March 31

Oct.	10	10
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to maintain hydraulic conditions for existing levels of

Nov.	10	10
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trout survival and to maintain existing levels of brown

Dec.	10	10
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trout spawning. A flow of 30 cfs is requested from April 1

Jan.	10	10
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to June 30 to maintain existing levels of rainbow trout

Feb.	10	10
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spawning. A flow of 15 cfs is requested from July 1 to

Mar.	10	10
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September 30 to maintain existing levels of adult trout

April	30	30
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production.

May	30	30
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June	30	30
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July 15 15

Aug. 15 7

Sept.	15	7.7
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Stream length - 5.0 miles


Intervening permits - none

No. 06646000

The existing USGS gage, in Tract 110⁴, ~~Section 26~~, T.32 N., R.77 W., is an appropriate instream flow control gage.

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.

nd complete.


Signature of Applicant or Agent

Signature of Applicant or Agent

3/11/91
Date

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 10 cfs
November - up to 10 cfs
December - up to 10 cfs
January - up to 10 cfs
February - up to 10 cfs
March - up to 10 cfs
April - up to 30 cfs
May - up to 30 cfs
June - up to 30 cfs
July - up to 15 cfs
August - up to 7 cfs
September - up to 7.7 cfs

for instream flow purposes throughout the five stream mile segment of Deer Creek beginning in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, T31N, R77W, and ending at the USGS Gage No. 0664600 in Tract 110 A, T32N., R77 W.

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 Deer 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 23 day of June, A.D. 2011.


PATRICK T. TYRRELL, State Engineer

PERMIT NO. 86 L.F.

PERMIT STATUS

Priority Date March 11, 1991

Approval Date June 23, 2011

**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.